

CITY COUNCIL AGENDA
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

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- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION – REVEREND BONNIE POLLEY, CHRIST EPISCOPAL CHURCH
- PLEDGE OF ALLEGIANCE

MINUTES:

PRESENT: MAYOR GOODMAN (excused from the afternoon session at 4:45 p.m.) and COUNCILMEMBERS REESE, BROWN, WEEKLY, MACK (excused from the afternoon session at 5:25 p.m.), MONCRIEF, and WOLFSON

Also Present: CITY MANAGER DOUG SELBY, DEPUTY CITY MANAGER STEVE HOUCHENS, DEPUTY CITY MANAGER BETSY FRETWELL, CITY ATTORNEY BRAD JERBIC, DEPUTY CITY ATTORNEY TOM GREEN, DEPUTY CITY ATTORNEY BRYAN SCOTT (P.M. Session), and CITY CLERK BARBARA JO RONEMUS

ANNOUNCEMENT MADE – Meeting noticed and posted at the following locations:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge

Court Clerk's Office Bulletin Board, City Hall Plaza

Las Vegas Library, 833 Las Vegas Boulevard North

Clark County Government Center, 500 S. Grand Central Parkway

Grant Sawyer Building, 555 E. Washington Avenue

(9:05 – 9:06)

1-1

REVEREND BONNIE POLLEY, Christ Episcopal Church, gave the invocation.

(9:06 – 9:07)

1-21

MAYOR GOODMAN led the audience in the Pledge.

(9:07 – 9:08)

1-46

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF THE EMPLOYEE OF THE MONTH

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Submitted at meeting: copy of Employee of the Month Certificate for Nathan Pechacek

MOTION:

None required. A presentation was made.

MINUTES:

CHIEF DAVID WASHINGTON and ASSISTANT CHIEF EUGENE CAMPBELL of Las Vegas Fire and Rescue joined MAYOR GOODMAN to recognize CAPTAIN NATHAN PECHACEK as September's Employee of the Month for his devotion to various local community efforts, including Mothers Against Drunk Drivers, United Blood Services, and Firefighters of Southern Nevada Burn Foundation. The Mayor said that CAPTAIN PECHACEK is an outstanding example for many people, especially those who work with him.

CAPTAIN PECHACEK was very grateful for this recognition. He said that he gives back to the community every chance he gets, because four years ago the community came together and saved his life by giving a total of 63 units of blood.

CHIEF WASHINGTON commended CAPTAIN PECHACEK for his outstanding professionalism and for being a great employee. ASSISTANT CHIEF CAMPBELL commented that recognition of CAPTAIN PECHACEK was warranted because of everything he does for the community and the firefighters.

(9:08 – 9:12)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF ONE COMMUNITY, ONE BOOK MONTH

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

1. Submitted at meeting: folder containing two posters, leaflet, Resource Guide, and press release promoting One Community, One Book Month
2. Submitted at meeting: copy of Proclamation proclaiming October 2004 as One Community, One Book Month

MOTION:

None required. A presentation was made.

MINUTES:

MAYOR GOODMAN called forward DAN WALTERS, Executive Director of the Las Vegas-Clark County Library District for this matter. The Mayor mentioned that for the first time the Library District has launched the reading program "One Community, One Book" to promote the simple pleasures of reading. The goal is to have the entire community read one book at the same time to bring a diverse community together. MAYOR GOODMAN proclaimed October as One Community, One Book Month.

MR. WALTERS said that the book Fahrenheit 451 was chosen for this month all across the Country. Hopefully, this program will promote dialogue throughout all communities. He noted that the Library offers adult literacy education classes in English and Spanish. He expressed his appreciation to the Mayor and Council for their leadership in promoting leadership and freedom of speech.

(9:12 – 9:17)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF HISPANIC HERITAGE MONTH

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

1. Submitted at meeting: copy of Proclamation proclaiming 9/15 –10/15/2004 as Hispanic Heritage Month with special tribute to Oscar Benavidez, the Consul General of El Salvador
2. Submitted at meeting: copy of Proclamation proclaiming 9/15 –10/15/2004 as Hispanic Heritage Month with special tribute to Berenice Rendon, the Consul of Mexico

MOTION:

None required. A presentation was made.

MINUTES:

COUNCILMAN REESE said that from September 15 to October 15 Las Vegas celebrates Hispanic Heritage and, in many ways, the City's own heritage. This month long celebration recognizes the many contributions of Latinos to life in the United States and Las Vegas. This celebration includes several important days, such as 9/15 – Independence Day for Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua; 9/16 – Independence Day for Mexico; 9/18 – Independence Day for Chile; and 10/12 – Día de La Raza.

COUNCILMAN REESE said that he feels very fortunate to represent a ward with a huge Hispanic population. He has learned a lot about the Latinos through the many friendships he has made over the years, and it has been an honor to be their Council representative. RAMON TORRES, Community Relations Officer, said a few words in Spanish.

OSCAR BENAVIDEZ, Consul General of El Salvador, and BERENICE RENDON, the Consul of Mexico, stepped forward and accepted proclamations from COUNCILMAN REESE. MS. RENDON said that this recognition is an honor to the people of Mexico. MR. BENAVIDEZ commented that he, his staff, and his family are very happy to be in the greatest city of the United States. He expressed his gratitude on behalf of the Salvadorian community.

(9:17 – 9:21)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF EAGLE SCOUTS FOR OUTSTANDING COMMUNITY SERVICE

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

MOTION:

None required. A presentation was made.

MINUTES:

COUNCILWOMAN MONCRIEF recognized a group of dedicated Eagle Scouts who contributed their time and talents to the Mirabelli Community Center. They saved the City \$14,700 by volunteering their services to 25 projects.

On behalf of the Boulder Dam Area Council, SCOTT BOLDENBERG, Council Activities Director, thanked the City of Las Vegas for giving this group of young men the opportunity to demonstrate how scouting can be a great service to the local community.

(9:21 – 9:25)

1-488

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

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CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF OUTSTANDING COMMUNITY SERVICE IN WARD 5

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Submitted at meeting: Certificate of Recognition for Craig Hirschler for Outstanding Community Service

MOTION:

None required. A presentation was made.

MINUTES:

COUNCILMAN WEEKLY recognized CRAIG HIRSCHLER for coming to the aid of 87-year-old MARGARET MORRIS, who could not be present due to illness. MR. HIRSCHLER fixed MS. MORRIS' waterline after working hours and saved her hundreds of dollars. COUNCILMAN WEEKLY also thanked LAURIE KRUSE of COUNCILMAN BROWN'S office for contacting MR. HIRSCHLER.

MR. HIRSCHLER thanked the Council for the recognition, noting that he has a soft spot in his heart for the elderly and children.

(9:25 – 9:27)

1-614

Also, COUNCILMAN WEEKLY welcomed ERIC JORDAN, who would be working with the City through the PAL internship program, which is offered by Las Vegas High School.

(9:27 – 9:29)

1-693

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

BUSINESS ITEMS:

Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MOTION:

REESE – Motion to bring forward and STRIKE Items 76 and 98 and Hold in ABEYANCE Items 77 and 80 to 10/6/2004 – UNANIMOUS

MINUTES:

There was no discussion.

(9:29 – 9:30)

1-755

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

BUSINESS ITEMS:

Approval of the Final Minutes by reference of the City Council Meetings of June 2, 2004 and June 16, 2004

MOTION:

REESE – APPROVED by Reference – UNANIMOUS

MINUTES:

There was no discussion.

(9:30 – 9:31)

1-804

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY MANAGER'S OFFICE**DIRECTOR: ELIZABETH FRETWELL**☒**CONSENT**☐**DISCUSSION****SUBJECT:****ADMINISTRATIVE:**

Approval of the First Amended and Restatement of the Production and Promotion Agreement between SFX Marketing, Inc. a subsidiary of Clear Channel Entertainment (CCE), and the Commission for the Las Vegas Centennial to provide development, creation, production and promotion of all aspects of the Las Vegas Centennial Celebration - All Wards

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This First Amended and Restatement of Production and Promotion Agreement (Restatement) amends the CCE Agreement approved on October 29, 2003. This Restatement restructures the sponsorship revenue requirements, eliminates the financial penalties and schedule of performance, provides for financial guarantee payments, and incorporates the merchandising and licensing plan which was previously approved by the Commission board. The modified changes were approved by the Commission for the Las Vegas Centennial and are now being incorporated in this Restatement.

RECOMMENDATION:

Staff recommends approval of the Restatement.

BACKUP DOCUMENTATION:

First Amended and Restatement of Production and Promotion Agreement

MOTION:

REESE – APPROVED as amended – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed for Item 3 that his company, Mack Consulting, recently began negotiating with Clear Channel Advertising on behalf of his clients. Clear Channel Entertainment and Clear Channel Outdoor are subsidiaries of the parent Clear Channel Corporation, although they do not share corporate officers. Neither group has ever negotiated business involving any of the other Clear Channel subsidiaries, and COUNCILMAN MACK felt that the connection was so remote that it was improbable any conflict would ever rise. Therefore, he indicated that he would continue to vote on items involving SFX Marketing. In addition, Items 22, 70, 71, and 72 involve locations near SuperPawn shops owned by his brother, Steven Mack. Due to the pending sale of all SuperPawn shops, he no longer is a consultant for his

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004

Administrative

Item 3 – Approval of the First Amended and Restatement of the Production and Promotion Agreement between SFX Marketing, Inc. a subsidiary of Clear Channel Entertainment (CCE), and the Commission for the Las Vegas Centennial to provide development, creation, production and promotion of all aspects of the Las Vegas Centennial Celebration - All Wards

MOTION – Continued:

brother's company. His brother has not mentioned any of the aforementioned items to him, nor did COUNCILMAN MACK believe that these items would affect his brother's interests; therefore, COUNCILMAN MACK would be voting on Items 22, 70, 71, and 72.

MINUTES:

DEPUTY CITY MANAGER FRETWELL went over the amendments: Page 9 – add replacement language to Section C-2x to read: The parties hereto acknowledge that it is their mutual desire and intent to properly fund the celebration events and that preference shall be given to the celebration event consisting of the 4th of July before additional enhanced funding of the signature events. The parties agree that the commission advance, as defined in Section 2-C7, above, shall be applied to help fund the signature events and administrative costs of the commission. Any merchandising commission by SFX™, which are in excess of 500,000 commission advance, may be provided to CCE as additional funding for the production of the celebration events, subject CCE submitting to the commission a celebration event budget and presenting such budget to the board of the commission for approval.

Additionally, on Page 10, the following language shall be added to Section 2-D: In addition, in the event that CCE has not secured television programming of the 4th of July event for a local broadcast in the Southern Nevada market by May 30th, 2005, then CCE rights in Section 2-D shall not be exclusive and the commission shall have the right to contract with others to secure television programming of said event for local broadcast.

MAYOR GOODMAN indicated that this past week the Centennial Committee met and worked out a final agreement that was ratified as it pertains to the involvement of SFX in the Centennial Celebration. As a result of this, Clear Channel committed to providing the City with \$1.9 million, plus \$500,000 for merchandising, which will be utilized for local events. Many local groups, including private, public, and faith-based, will come together for this wonderful celebration. The Mayor thanked DEPUTY CITY MANAGER FRETWELL, STACY ALLSBROOK, and DEPUTY CITY ATTORNEY TERESITA PONTICELLO for their involvement on behalf of the City.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

Fiscal Impact

☐

No Impact

Amount: \$74,948,609.19

☒

Budget Funds Available

Dept./Division: Accounting Operations

☐

Augmentation Required

Funding Source: All Funds

PURPOSE/BACKGROUND:

In compliance with the City's Municipal Code, Chapter 4.12, this is an informational item that provides the dollar amount of disbursements processed by the Finance and Business Services Department.

RECOMMENDATION:

BACKUP DOCUMENTATION:

Summary of cash expenditures for the period 08/16/04 - 08/31/04

Total Services and Materials Checks	\$	31,781,806.82
Total Payroll Checks	\$	5,613,704.39
Total Wire Transfers	\$	37,553,097.98

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK abstaining** on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41: **APPROVED** under separate actions (see individual items)

Item 55: **ABEYANCE** under separate action (see individual item)

NOTE: COUNCILMAN MACK disclosed for Item 3 that his company, Mack Consulting, recently began negotiating with Clear Channel Advertising on behalf of his clients. Clear Channel Entertainment and Clear Channel Outdoor are subsidiaries of the parent Clear Channel Corporation, although they do not share corporate officers. Neither group has ever negotiated business involving any of the other Clear Channel subsidiaries, and COUNCILMAN MACK felt

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004

Consent – Finance and Business Services

Item 4 – Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

MOTION – Continued:

that the connection was so remote that it was improbable any conflict would ever rise. Therefore, he indicated that he would continue to vote on items involving SFX Marketing. In addition, Items 22, 70, 71, and 72 involve locations near SuperPawn shops owned by his brother, Steven Mack. Due to the pending sale of all SuperPawn shops, he no longer is a consultant for his brother's company. His brother has not mentioned any of the aforementioned items to him, nor did COUNCILMAN MACK believe that these items would affect his brother's interests; therefore, COUNCILMAN MACK said he would be voting on Items 22, 70, 71, and 72.

MINUTES:

COUNCILWOMAN MONCRIEF reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

Under Item 1, the following Councilmen requested the following items be pulled for discussion: COUNCILMAN REESE – Item 55, COUNCILMAN BROWN – Item 38, and COUNCILMAN WEEKLY – Items 35 and 41. DEPUTY CITY MANAGER FRETWELL requested Item 3 be pulled forward to go over some changes.

NOTE: All the above discussion and action for consent matters took place under Item 3 but placed under Item 4 because Item 3 was pulled forward for discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval to provide \$210,000 from the City Facilities Capital Projects Fund (CPF) in additional funding to the City Hall Basement Graphic Arts Remodel project - Ward 5 (Weekly)

Fiscal Impact

☐

No Impact

Amount: \$210,000

☐

Budget Funds Available

Dept./Division: Budget and Finance

☒

Augmentation Required

Funding Source: City Facilities CPF

PURPOSE/BACKGROUND:

All bids for the completion of the City Hall Basement Graphic Arts Remodel project exceed initial estimates. Attempts to re-bid the project will have a negative impact on the City Hall East Tower project schedule. Fund Balance, made available through closing completed projects, would be appropriated to cover the increased project costs.

RECOMMENDATION:

Staff recommends approval of an increase in funding in the amount of \$210,000.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval to transfer \$40,000 in funding from the Public Works Capital Projects Fund (CPF) St. Louis Avenue Beautification project to the Parks and Leisure Activities CPF for the Huntridge Circle Park project for plastering a barrier - Ward 3 (Reese)

Fiscal Impact☐**No Impact****Amount:** \$40,000☐**Budget Funds Available****Dept./Division:** Budget and Finance☒**Augmentation Required****Funding Source:** Parks and Leisure Activities CPF**PURPOSE/BACKGROUND:**

A rubber and aggregate traffic barrier was installed as part of the original project. Additional funds are requested to plaster the barrier giving the appearance of a stucco block wall.

RECOMMENDATION:

Staff recommends approval to transfer up to \$40,000 in funding from the Public Works CPF St. Louis Avenue Beautification project to the Parks and Leisure Activities CPF Huntridge Circle Park project.

BACKUP DOCUMENTATION:

Parks In Progress Listing

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Special Event License for Thai Cultural Art Association of Las Vegas, Location: Charleston Heights Arts Center, 800 Brush Street, Date: September 15, 2004, Type: Special Event Beer/Wine, Event: Thai Performing Arts Appreciation Day 2004, Responsible Person in Charge: Kochasieh Phibulphanuvat - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a Special Event License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Special Event License for Lady Luck, Location: Lady Luck, 206 North 3rd Street, Dates: September 16-18, 2004, Type: Special Event Beer/Wine, Event: Bikefest Registration, Parking and Shuttle, Responsible Person in Charge: Thomas Dunbar - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a Special Event License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Special Event License for Lady Luck, Location: Lady Luck, 206 North 3rd Street, Date: September 24, 2004, Type: Special Event Beer/Wine, Event: Street Party, Responsible Person in Charge: Thomas Dunbar - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a Special Event License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Special Event License for Chilean American Association, Location: Hills Park, 9100 Hillpointe Road, Date: September 26, 2004, Type: Special Event General, Event: Chilean Independence Day Celebration, Responsible Person in Charge: Patricio Sarnataro - Ward 4 (Brown)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a Special Event License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Special Event License for Southern Nevada Blues Association, Location: Sammy Davis Jr., Plaza, 720 Twin Lakes Drive, Date: October 3, 2004, Type: Special Event Beer/Wine/Cooler, Event: Las Vegas Blues Festival, Responsible Person in Charge: Chere J. Perez - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a Special Event License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Special Event License for Las Vegas Founders Club, Location: Tournament Players Club at Summerlin, 1700 Village Center Circle, Dates: October 7-10, 2004, Type: Special Event General, Event: Las Vegas Invitational PGA Golf Tournament, Responsible Person in Charge: David Roush - Ward 2 (Wolfson)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a Special Event License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Special Event License for Saint Francis de Sales Catholic Church, Location: 1111 North Michael Way, Church Grounds, Date: October 24, 2004, Type: Special Event General, Event: International Carnival and Bazaar Fundraiser, Responsible Person in Charge: Ed Irigoyen - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a Special Event License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Special Event License for Las Vegas South Sunset Rotary Club, Location: Opportunity Village, 6300 West Oakey Boulevard, Date: November 13, 2004, Type: Special Event General, Event: Mad Hatter's Ball, Responsible Person in Charge: Robert Wood - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a Special Event License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Special Event License for Ladd Heleloa, Location: Sammy Davis Jr. Plaza, 720 Twin Lakes Drive, Date: September 18, 2004, Type: Special Event Beer/Wine/Cooler, Event: Na Palapalai Hawaiian Concert, Responsible Person in Charge: Ladd Heleloa - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a Special Event License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Beer/Wine/Cooler On-sale License, Vesci & Vesci, dba New York Pizza and Pasta, 2400 South Jones Boulevard, 13, James J. Vesci and Laura A. Vesci, 100% jointly as husband and wife - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Beer/Wine/Cooler On-sale License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Liquor Caterer License, Bleu Gourmet, LLC, dba Bleu Gourmet, 8751 West Charleston Boulevard, Samuel R. Bailey, Mgr, Mmbr, 35%, Robert L. Bowell, Mgr, Mmbr, 35%, Sandeep Ahuja, Mmbr, 30% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Liquor Caterer License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler Off-sale License and a new Restricted Gaming License for 7 slots subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: Short Line Operations, LLC, dba Short Line Express Market, Duane L. Shields, Mgr, Ernest A. Becker, Jr., Mgr, Robert M. Morton, II, Mgr, The Ernest A. Becker IV & Kathleen C. Becker Family Trust, Mmbr, 33 1/3%, Ernest A. Becker, Jr., Trustee, Kathleen R. Becker, Trustee, Duane L. Shields & MaryEllen Shields Family Trust, Mmbr, 33 1/3%, Duane L. Shields, Trustee, MaryEllen Shields, Trustee, AMS 1998 Trust, Mmbr, 33 1/3%, Robert M. Morton, II, Trustee, To: Dashmesh Oil Company, dba Dashmesh Gas Station and Market, 6698 Sky Pointe Drive, Gurpreet S. Grewal, Dir, Pres, Secy, Treas, 100% - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler Off-sale License and a new Restricted Gaming License for 7 slots

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Burglar Alarm Service License, National Alarm Computer Center, Inc., dba National Alarm Computer Center, Inc., 96 Corporate Park, Suite 300, Irvine, California, Stephen B. Baker, VP - California

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Burglar Alarm Service License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Location for a Burglar Alarm License, Crime Busters of Nevada, Inc., dba All Secure Alarm Protection, From: 4625 Wynn Road, Suite 101, To: 4780 West Harmon Avenue, Suite 4, David Gross, Pres, 50%, John C. Perdichizzi, Dir, Secy, Treas, 50% - County

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Location for a Burglar Alarm License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Locksmith License, Alamo Lock and Key, LLC, dba Alamo Lock and Key, LLC, 1625 Paradise Reef Avenue, Michael R. King, Mgr, Mmbr, 50%, Jo Ann King, Mgr, Mmbr, 50% - North Las Vegas

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Locksmith License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Massage Establishment License, Ronald L. Reed, dba The Right Touch, 1105 South Rainbow Boulevard, Suite 102, Ronald L. Reed, 100% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Massage Establishment License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – UNANIMOUS with MACK abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

NOTE: Under Item 3 (see Item 4), COUNCILMAN MACK disclosed for Item 3 that his company, Mack Consulting, recently began negotiating with Clear Channel Advertising on behalf of his clients. Clear Channel Entertainment and Clear Channel Outdoor are subsidiaries of the parent Clear Channel Corporation, although they do not share corporate officers. Neither group has ever negotiated business involving any of the other Clear Channel subsidiaries, and COUNCILMAN MACK felt that the connection was so remote that it was improbable any conflict would ever rise. Therefore, he indicated that he would continue to vote on items involving SFX Marketing. In addition, Items 22, 70, 71, and 72 involve locations near SuperPawn shops owned by his brother, Steven Mack. Due to the pending sale of all SuperPawn shops, he no longer is a consultant for his brother's company. His brother has not mentioned any of the aforementioned items to him, nor did COUNCILMAN MACK believe that these items would affect his brother's interests; therefore, COUNCILMAN MACK said he would be voting on Items 22, 70, 71, and 72.

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Psychic Art and Science License, Sonya Adams, dba Sonya Adams, 1500 East Sahara Avenue, Suite B, Sonya Adams, 100% - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Psychic Art and Science License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

ABEYANCE ITEM - Preapproval of award of Bid No. 05.1730.09-LED, Modification of Lake Mead Boulevard and Tenaya Way Intersection to the lowest responsive and responsible or best bidder and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works (Monetary range \$550,000 to \$760,000 - Road and Flood Capital Projects Fund) - Ward 4 (Brown)

Fiscal Impact

☐

No Impact

Amount: \$760,000

☒

Budget Funds Available

Dept./Division: Public Works

☐

Augmentation Required

Funding Source: Road and Flood CPF

PURPOSE/BACKGROUND:

This project consists of constructing exclusive westbound and eastbound right turn lanes on Lake Mead Boulevard and dual left turn lanes on each leg of the intersection. The work shall include traffic signal and street light relocation, electrical work related to relocation, removal and replacement of curb, gutter and sidewalk, asphalt concrete pavement removal and replacement, relocation of existing storm drain and other related work.

PCC: L. E. Davis

RECOMMENDATION:

That the City Council preapprove the award of Bid No. 05.1730.09-LED, Modification of Lake Mead Boulevard and Tenaya Way Intersection to the lowest responsive and responsible or best bidder and approve the construction conflicts and contingency reserve set by Finance and Business Services in the monetary range of \$550,000 to \$760,000. Authority to execute contract is given to the Purchasing Manager per R-88-2004.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK abstaining** on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of award of Bid No. 04.15341.19-LED, City Hall Basement Remodel and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: COBBLESTONE CONSTRUCTION (\$702,670 - City Facilities Capital Projects Fund) - Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount: \$702,670**☒**Budget Funds Available****Dept./Division: Public Works**☐**Augmentation Required****Funding Source: City Facilities CPF****PURPOSE/BACKGROUND:**

Work on this project consists of remodeling a portion of the existing City Hall basement into a print shop. Scope includes minor demolition, construction of a new exit stair, interior partitions, ceiling tiles, painting, HVAC and electrical system modifications.

PCC: L. E. Davis

POC: Benden Parker - (702) 656-8300

RECOMMENDATION:

That the City Council approve the award of Bid No. 04.15341.19-LED to Cobblestone Construction in the amount of \$702,670 and approve a construction conflicts and contingency reserve of \$70,000. Authority to execute the Contract is given to the Purchasing Manager per R-88-2004.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – UNANIMOUS with MACK abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:**APPROVED under separate actions (see individual items)****Item 55:****ABEYANCE under separate action (see individual item)****MINUTES:**

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of issuance of a purchase order for a Mobile Disaster Relief Animal Shelter Clinic - Detention & Enforcement Department - Award recommended to: LA BOIT, INC. (\$111,000 - Multi Purpose Special Revenue Fund)

Fiscal Impact☐**No Impact****Amount:** \$111,000☒**Budget Funds Available****Dept./Division:** Detention and Enforcement☐**Augmentation Required****Funding Source:** Multi Purpose SRF**PURPOSE/BACKGROUND:**

The proposed Mobile Disaster Relief Animal Shelter Clinic will be used by various government entities in Southern Nevada. Funding is from a Homeland Security Grant. La Boit, Inc. has a mobile clinic available for purchase that has been used for exhibition purposes at a substantial cost saving to the City. This item is exempt from the competitive bidding process pursuant to NRS 332.146, exemptions to requirements for competitive bidding: Auction, closeout and bankruptcy sales: sale of merchandise left after exhibition.

PCC: T. Bowman

POC: Koni Wade - (800) 776-9984

CFN: 050066-TJB

RECOMMENDATION:

That the City Council approve the issuance of a purchase order for a Mobile Disaster Relief Animal Shelter Clinic to La Boit, Inc. in the amount of \$111,000.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:**APPROVED under separate actions** (see individual items)**Item 55:****ABEYANCE under separate action** (see individual item)**MINUTES:**

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of award of Agreement No. 050030, Business License Tax Audit Consulting Services - Department of Finance and Business Services - Award recommended to: MBIA MUNISERVICES COMPANY (\$100,000 estimated contingency fee)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

To provide business license tax audit consulting services to identify business entities in the City of Las Vegas that are deficient in complying with business licensing requirements. Identification and follow-up with such business entities will result in additional taxes previously gone uncollected. This is a revenue generating contract and MBIA will be compensated on a contingency basis.

This requirement is exempt from the competitive bidding process pursuant to NRS 332.155.1(b), professional services.

PCC: D. Kaplan

POC: Jaime Rojas - (800) 800-8181 ext. 3576

RECOMMENDATION:

That City Council approve award of Agreement No. 050030 to MBIA MuniServices Company from date of award through 9/15/05 with (2) one-year options to renewal in the estimated annual contingency fee of \$100,000. Authority to execute the Agreement is given to the Purchasing Manager per R-88-2004.

BACKUP DOCUMENTATION:

Disclosure of Ownership/Principals

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004

Consent – Finance and Business Services

Item 27 – Approval of award of Agreement No. 050030, Business License Tax Audit Consulting Services - Department of Finance and Business Services - Award recommended to: MBIA MUNISERVICES COMPANY (\$100,000 estimated contingency fee)

MOTION – Continued:

Items 3, 35, 38 & 41: **APPROVED under separate actions** (see individual items)

Item 55: **ABEYANCE under separate action** (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of award of Agreement No. 050061, Electrical Engineering Consulting Services - Department of Field Operations - Award recommended to: HARRIS CONSULTING ENGINEERS, LLC (\$53,845 - General Fund) - Ward 5 (Weekly)

Fiscal Impact

☐

No Impact

Amount: \$53,845

☒

Budget Funds Available

Dept./Division: Field Operations

☐

Augmentation Required

Funding Source: General Fund

PURPOSE/BACKGROUND:

To provide electrical engineering consulting services to prepare plans and specifications of electrical requirements for electrical upgrades to the City Hall building main electrical power system.

This requirement is exempt from the competitive bidding process pursuant to NRS 332.155.1(b), professional services.

PCC: D. Kaplan

POC: Phillip A. Whisenhurt - (702) 269-1575

RECOMMENDATION:

That the City Council approve award of Agreement No. 050061 for electrical engineering consulting services to Harris Consulting Engineers, LLC from date of award through March 30, 2006 for \$53,845. Authority to execute the Contract is given to the Purchasing Manager per 88-2004.

BACKUP DOCUMENTATION:

Certificate - Disclosure of Ownership/Principals

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of award of Contract No. 050065-LED, Fire Authority Building Maintenance Testing - Department of Field Operations - Award recommended to: ELECTRICAL RELIABILITY SERVICES, INC. (\$36,125 - General Fund)

Fiscal Impact

☐

No Impact

Amount: \$36,125

☒

Budget Funds Available

Dept./Division: Field Operations

☐

Augmentation Required

Funding Source: General Fund

PURPOSE/BACKGROUND:

This contract will provide for the testing of electrical equipment, Arc/Flash testing, training of personnel related to the Arc/Flash testing and implementation of the testing into the City's safety program.

This requirement is exempt from the competitive bidding process pursuant to NRS 332.115.1(b), professional services.

PCC: L. E. Davis

POC: Todd McIntosh - (702) 271-0387

RECOMMENDATION:

That the City Council approve award of Contract No. 050065-LED from date of award through March 31, 2005 in an amount not to exceed \$36,125. Authority to execute the contract on behalf of the City is given to the Purchasing Manager per R-88-2004.

BACKUP DOCUMENTATION:

Certificate - Disclosure of Ownership/Principals

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – UNANIMOUS with MACK abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of ratification of a purchase order for emergency security guards for Sky Vue Mobile Home Park, 15 West Owens Ave. - Department of Detention and Enforcement - Award recommended to: GUARDIAN SECURITY (\$32,256 - General Fund) - Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount:** \$32,256☒**Budget Funds Available****Dept./Division:** Detention and Enforcement☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

This item will allow for emergency security guards for the Sky Vue Mobile Home Park, 15 W. Owens. This requirement allows for four (4) armed guards and two (2) un-armed, twenty-four (24) hours a day, seven (7) days a week. This requirement is needed until all demolition is completed. The incumbent provider, Official Security, was unable to fulfill this requirement.

This purchase is exempt from competitive bidding pursuant to NRS 332.112.1(b), May lead to impairment of the health, safety or welfare of the public if not immediately attended to.

PCC: G Leaf

POC: Darryl Hampton - (702) 307-3100

RECOMMENDATION:

That the City Council approve the ratification of a purchase order for emergency security guards to Guardian Security not to exceed \$32,256.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – UNANIMOUS with MACK abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of issuance of a purchase order for the purchase of Community Emergency Response Team (CERT) backpacks - Department of Fire and Rescue - Award recommended to: SAFETY IMAGES (\$25,875 - Multi Purpose Special Revenue Fund)

Fiscal Impact

☐

No Impact

Amount: \$25,875

☒

Budget Funds Available

Dept./Division: Fire and Rescue

☐

Augmentation Required

Funding Source: Multi Purpose SRF

PURPOSE/BACKGROUND:

This item will allow for the purchase of 225 Community Emergency Response Team backpacks. Funding for these will come from a Office of Domestic Preparedness (ODP) FY 2004 Homeland Security Grant Program (HSGP) previously approved by Council on July 21, 2004.

This purchase is exempt from competitive bidding pursuant to NRS 332.115.1(d), equipment which, by reason of the training of the personnel or of an inventory of replacement parts maintained by the local government is compatible with existing equipment.

PCC: K Falline

POC: Jack Deaton - (800) 582-3456

RECOMMENDATION:

That the City Council approve the issuance of a purchase order for Community Emergency Response Team (CERT) backpacks to Safety Images in the amount of \$25,875.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – UNANIMOUS with MACK abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of award of Bid No. 04.1730.08-LED, Durango Drive IV, Tropical Parkway to I-215, and approve the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: TAB CONTRACTORS, INC. (\$4,474,437 - Various Funds) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$4,474,437

☒

Budget Funds Available

Dept./Division: Public Works

☐

Augmentation Required

Funding Source: Various Funds

PURPOSE/BACKGROUND:

Work on this project consists of roadway construction and the installation of storm drain and sewer facilities on Durango Drive. The major items of work will consist of roadway excavation and embankment, placement of aggregated base course, a.c. pavement, median islands, curb & gutter, streetlights and various other elements associated with road improvements.

PCC: L. E. Davis

POC: Brandy Stevens - (702) 642-3033

RECOMMENDATION:

That the City Council approve the award of Bid No. 04.1730.08-LED, Durango Drive IV to Tab Contractors, Inc. in the amount of \$4,474,437 and approve a construction conflicts and contingency reserve of \$447,443. Authority to execute the Contract is given to the Purchasing Manager per R-88-2004.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – UNANIMOUS with MACK abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: MUNICIPAL COURT**DIRECTOR: JAMES P. CARMANY**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Interlocal Contract for Electronic Monitoring Services Agreement between the Las Vegas Municipal Court House Arrest Program and the Boulder City Municipal Court

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Boulder City Municipal Court is responsible for sentencing individuals who have been adjudicated guilty on a misdemeanor charge(s) which sometimes results in ordered home detention. Boulder City Municipal Court has requested assistance to monitor defendants authorized to serve in custody through house arrest either post-conviction or while awaiting trial and Las Vegas has a House Arrest Unit that can serve as a host station through its monitoring and equipment for Boulder City Municipal Court.

RECOMMENDATION:

The City Council approve the Interlocal Agreement between the Boulder City Municipal Court and the Las Vegas Municipal Court House Arrest Program that can serve as a host station through its monitoring and equipment for those defendants sentenced to home detention by Boulder City Municipal Court.

BACKUP DOCUMENTATION:

Interlocal Contract for Electronic Monitoring Services

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:**APPROVED under separate actions** (see individual items)**Item 55:****ABEYANCE under separate action** (see individual item)**MINUTES:**

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ ☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

Approval of revising a Rehabilitation Deferred Loan to include refinancing of current mortgages not to exceed \$213,275 in FY 2004 Home Investment Partnership (HOME) funds for Maria Magana at 4005 Via Vaquero Avenue - Ward 1 (Moncrief)

Fiscal Impact

<input type="checkbox"/> No Impact	Amount: \$213,275
<input checked="" type="checkbox"/> Budget Funds Available	Dept./Division: Neigh. Svcs./Neigh. Dev.
<input type="checkbox"/> Augmentation Required	Funding Source: HOME

PURPOSE/BACKGROUND:

Ms. Magana is a single mother with three dependents with an annual household income of \$40,147. This income level qualifies her for a HOME funded Direct Housing Rehabilitation loan. The requested funding will cover construction costs from the low responsive bidding contractor, work contract contingency, a preliminary title report, a credit report, a real estate appraisal, plans check fees, recording fees, and the refinancing of the existing home mortgages.

RECOMMENDATION:

Staff recommends that the City Council approve this allocation of funds and authorizes the Mayor to execute the Direct Loan Agreements with the homeowner upon approval by the City Attorney.

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41: **APPROVED** under separate actions (see individual items)
Item 55: **ABEYANCE** under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)
1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of an additional \$225,210 of Community Development Block Grant (CDBG) Construction funds for the completion of the facility expansion of the Smart Start Child Care Center located at 1260 West Owens Avenue - Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount:** \$225,210☒**Budget Funds Available****Dept./Division:** Neigh. Svcs./Neigh. Devel.☐**Augmentation Required****Funding Source:** CDBG**PURPOSE/BACKGROUND:**

On April 5, 2000, City Council approved \$300,000 in CDBG Construction funds for the expansion of the Smart Start Childcare Center. Due to increases in construction materials, permit fees and unforeseen project delays, the cost of the project has increased. The agency has requested additional funding in the amount of \$225,210 which will allow the agency to contract with the lowest bidder for the project.

RECOMMENDATION:

Staff recommends that the city approve the request for additional funds in the amount of \$225,210 for completion of the facility expansion of the Smart Start Child Care Center.

BACKUP DOCUMENTATION:

Letter from Smart Start dated August 11, 2004

MOTION:

WEEKLY – APPROVED as recommended – UNANIMOUS

MINUTES:

COUNCILMAN WEEKLY asked when construction is expected to commence. ORLANDO SANCHEZ, Director, Neighborhood Services, answered that the funding should be in place within the next 30 days, the contract will then be awarded, and construction should commence within the next 60 days.

COUNCILMAN WEEKLY thanked JAMES CHANEY, who was not present, and noted that he had the opportunity to converse with some of the parents who take their children to this care center, and they indicated that they are very appreciative of the services, especially of the financial assistance they have received. He is looking forward to the expansion of this facility. MR. SANCHEZ pointed out that this is the only 24-hour facility in the area. Approximately 45 additional families will receive assistance when the expansion is completed.

(9:38 – 9:40)

1-1051

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of an allocation in the amount of \$400,000 in FY 2004 Home Investment Partnership (HOME) funds from the Clark County Consortium to be utilized for the City of Las Vegas Homebuyer Downpayment Assistance Program with the following participants: Women's Development Center, Consumer Credit Counseling and East Las Vegas Community Development Corporation to operate their Homebuyer Assistance Programs - All Wards

Fiscal Impact☐**No Impact****Amount:** \$400,000☒**Budget Funds Available****Dept./Division:** Neigh. Svcs./Neigh. Devel.☐**Augmentation Required****Funding Source:** HOME**PURPOSE/BACKGROUND:**

The city of Las Vegas through a Request for Proposal (RFP) process has determined that the Women's Development Center, Consumer Credit Counseling and East Las Vegas Community Development Corporation are eligible and qualified to receive HOME funds for the purpose of providing down payment assistance and eligible closing costs to income qualified homebuyers. Each participant agency will draw funding from the program as they process their homebuyers.

RECOMMENDATION:

Staff recommends that City Council approve this allocation of funds and authorizes the Mayor to execute one Agreement with Women's Development Center, Consumer Credit Counseling and East Las Vegas Community Development Corporation after it has been approved by the City Attorney.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – UNANIMOUS with MACK abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:**APPROVED under separate actions (see individual items)****Item 55:****ABEYANCE under separate action (see individual item)****MINUTES:**

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES

DIRECTOR: ORLANDO SANCHEZ ☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

Approval of an Agreement between the Economic Opportunity Board Community Action Partnership and the City of Las Vegas in the amount of \$140,000 to be utilized by the City of Las Vegas Child Care Improvement Grant (CCIG) for childcare providers and to assist the City of Las Vegas Child Care Licensing Division with staff development and other training - All Wards

Fiscal Impact

<input checked="" type="checkbox"/> No Impact	Amount:
<input type="checkbox"/> Budget Funds Available	Dept./Division:
<input type="checkbox"/> Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The CCIG created in 1997 is a proactive approach to addressing the rising concerns of quality childcare in Las Vegas. Funding can be used for staff services and support of the CLV Child Care Licensing Division. Mini-grants may be awarded up to \$5,000 to ensure licensed providers meet codes and regulations, early childhood literacy, and childcare training in a variety of topics including health and safety. To date, the City of Las Vegas has received \$861,000 for the CCIG program. Due to the city's outstanding performance, the CCIG program has been awarded an additional \$140,000.

RECOMMENDATION:

Staff recommends City Council approve to enter into an Agreement with the EOB Community Action Partnership in the amount of \$140,000 and authorize the Mayor to execute the agreement upon approval by the City Attorney.

BACKUP DOCUMENTATION:

Agreement for Quality Enhancement Programs and Services

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41: **APPROVED** under separate actions (see individual items)
Item 55: **ABEYANCE** under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER, 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of parcels recommended for disposal at the Fall 2005 Bureau of Land Management Public Land Sale - Wards 4 and 6 (Brown and Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Staff is recommending the nomination of two parcels for disposal at the Fall 2005 Public Land Sale. Descriptions are provided on the attached maps and Agenda Memo. Each of these parcels is located in an area of the City appropriate for development and not otherwise needed for a public purpose. There are no other parcels appropriate for nomination at this time.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Maps

MOTION:

BROWN – APPROVED as recommended – UNANIMOUS

MINUTES:

COUNCILMAN BROWN said he wanted to take this opportunity to address CITY MANAGER SELBY and the Planning Department regarding mixed-used development, which is a product that is growing in popularity. It was brought to his attention that this type of development is against City ordinance and outside the redevelopment area. But he does not want this type of quality development to be discouraged throughout the City, especially outside of the redevelopment area in an attempt to force it downtown.

NOTE: COUNCILMAN BROWN stressed that this is a matter that needs to be fully discussed with the Councilmembers. Therefore, he directed CITY MANAGER SELBY or ROBERT GENZER, Director, Planning and Development, to put an item on the agenda or to bring it up at the individual Councilmember briefings.

(9:40 – 9:41)

1-1130

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an interlocal agreement between the City of Las Vegas and Clark County for the construction of Pioneer Trail - Wards 1 and 5 (Moncrief and Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The purpose of this item is to provide a mechanism for the City of Las Vegas to be reimbursed by Clark County for the cost of constructing Pioneer Trail. This project was submitted for funding by Clark County under the Southern Nevada Public Lands Management Act, and received final approval by the Secretary of the U.S. Department of Interior. It was subsequently funded on November 5, 2003 in the amount of \$401,275.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Interlocal Agreement
2. Submitted after Final Agenda - Comment letter from Charleston Neighborhood Preservation

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – UNANIMOUS with MACK abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Seventh Supplemental Interlocal Contract 250g - Alta Drive - Rancho Drive to Union Pacific Railroad (UPRR) Property between the City of Las Vegas and the Regional Transportation Commission (RTC) to increase total project funding (\$92,000 - Regional Transportation Commission) - Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount:** \$92,000☒**Budget Funds Available****Dept./Division:** PublicWorks/City Engineer☐**Augmentation Required****Funding Source:** RTC**PURPOSE/BACKGROUND:**

Seventh Supplemental Interlocal Contract 250g will increase funding for Alta Drive - Rancho Drive to UPRR Property. Additional funding is required for engineering costs expended for night shifts as required by the Nevada Department of Transportation (NDOT). The Clark County Regional Transportation Commission approved this contract at their August 12, 2004 Board Meeting. Total cost of this project shall not exceed \$7,692,000.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Seventh Supplemental Interlocal Contract 250g

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – UNANIMOUS with MACK abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:**APPROVED under separate actions (see individual items)****Item 55:****ABEYANCE under separate action (see individual item)****MINUTES:**

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Interlocal Contract 481 for a City Parkway - D Street Connector Alignment Study between Grand Central Parkway and I-15 between the City of Las Vegas and the Regional Transportation Commission (RTC) (\$100,000 - Regional Transportation Commission) - Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount:** \$100,000☒**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:** RTC**PURPOSE/BACKGROUND:**

Interlocal Contract 481 applies to services for a City Parkway - D Street connector alignment study between Grand Central Parkway and I-15. The alignment study will include development of alternative alignments, alternative evaluation and related right-of-way design. The Clark County Regional Transportation Commission approved this contract at their August 12, 2004 Board Meeting. Total cost of this study shall not exceed \$100,000.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Interlocal Contract 481

MOTION:**WEEKLY – APPROVED as recommended – UNANIMOUS****MINUTES:**

COUNCILMAN WEEKLY explained that he wanted this item pulled for discussion to give AL GALLEG0 an opportunity to express his concerns.

MR. GALLEG0 said that this matter originally came about at the 8/12/2004 Regional Transportation Commission meeting, yet none of the affected parcel owners have been notified, especially the owner of 3-Star Body Shop, whose business will go under with this project because it will go through the only parking available for the building. This proprietor moved his business from the County to the City and now the City is going to drive him out.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004

Consent – Public Works

Item 41 – (Approval of Interlocal Contract 481 for a City Parkway - D Street Connector Alignment Study between Grand Central Parkway and I-15 between the City of Las Vegas and the Regional Transportation Commission (RTC) (\$100,000 - Regional Transportation Commission) - Ward 5 (Weekly)

MINUTES – Continued:

RICHARD GOECKE, Director, Public Works, said that this matter involves an RTC funded study, which has not even been started. Once a consultant is hired, there will be opportunities to notify the affected property owners. But, at this time, it would be premature, because the alignment study will look at different alternatives.

MAYOR GOODMAN confirmed with MR. GOECKE that once the final determination is made on the study, the property owners will be notified so that they can give their input. MR. GALLEGOS countered that the determination has been made and still no one has been notified. He insisted that the property owners be notified. COUNCILMAN WEEKLY said that the meetings on this matter were made public. He indicated that he is also concerned about how this project will affect the nearby senior centers. He assured MR. GALLEGOS that ample notification will be provided to the affected property owners and the public.

(9:41 – 9:46)

1-1198

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Interlocal Contract 482 - Bus Turnout Project FY 2005 between the City of Las Vegas and the Regional Transportation Commission (RTC) (\$500,000 - Regional Transportation Commission) - Ward 3 (Reese)

Fiscal Impact☐**No Impact****Amount:** \$500,000☒**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:** RTC**PURPOSE/BACKGROUND:**

Interlocal Contract 482 will provide funding for bus turn outs along the Charleston Boulevard corridor between Fremont Street and Nellis Boulevard. The Clark County Regional Transportation Commission approved this contract at their August 12, 2004 Board Meeting. Total cost of this project shall not exceed \$3,500,000.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Interlocal Contract 482

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:**APPROVED under separate actions** (see individual items)**Item 55:****ABEYANCE under separate action** (see individual item)**MINUTES:**

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Fourth Supplemental Interlocal Contract LAS10J98 - Gowan North Channel Alexander Drive to Lone Mountain Road and Lone Mountain Outfall between the City of Las Vegas and the Clark County Regional Flood Control District (CCRFCD) to increase total project funding (\$20,000 - Clark County Regional Flood Control District) - Ward 6 (Mack)

Fiscal Impact☐**No Impact****Amount:** \$20,000☒**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:** CCRFCD**PURPOSE/BACKGROUND:**

Fourth Supplemental Interlocal Contract LAS10J98 will provide funding for design engineering and right-of-way design. Additional funding is necessary to cover additional shop drawing reviews. The Clark County Regional Flood Control District approved this contract at their August 12, 2004 Board Meeting. Total cost of the project shall not exceed \$641,000.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Fourth Supplemental Interlocal Contract LAS10J98

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK abstaining** on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:**APPROVED** under separate actions (see individual items)**Item 55:****ABEYANCE** under separate action (see individual item)**MINUTES:**

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval to file a Right-of-Way Grant with the Bureau of Land Management for drainage purposes on portions of land lying within the Southwest Quarter of Section 31, Township 19 South, Range 60 East, the North Half of Section 6 and the Northwest Quarter of Section 5, Township 20 South, Range 60 East, Mount Diablo Meridian, generally located on the north and south sides of the Lone Mountain Road alignment, between the Hualapai Way and El Capitan Way alignments, APNs 125-31-401-007, -403-001, -801-002, -804-002, 138-05-101-006, 138-06-201-001, -503-001, -003 and -004 - County (near Ward 6 – Mack)

Fiscal Impact

☒

No Impact

☐

Budget Funds Available

☐

Augmentation Required

Amount:

Dept./Division: Public Works/City Engineer

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41: APPROVED under separate actions (see individual items)

Item 55: ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKDS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Southwest Engineering on behalf of Richmond American Homes, owners (north of Centennial Parkway, between Fort Apache Road and Kevin Street, APNs 125-20-401-006, -007, -009; 125-20-403-001, -002, -003, -004; 125-20-402-004 and -005) - County (near Ward 6 - Mack)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This request is to connect 260 single family dwellings located north of Centennial Parkway, between Fort Apache Road and Kevin Street. The owners propose to connect to a 10-inch sewer line located in Centennial Parkway. The Planning Department has determined the project does conform to the City's General Plan for the area; there is sufficient capacity in the City Sanitary Sewer. The applicants have signed a "Sewer Connection Agreement." This property is within the Clark County Interlocal Annexation Exceptions area and cannot be annexed to the City.

RECOMMENDATION:

Public Works recommends approval subject to conformance with all City codes and departmental standards and off-site improvements.

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Encroachment Request from Southwest Engineering on behalf of Sky Ridge Limited, owner (Tee Pee Lane at Oso Blanca Road) - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The encroachment shall consist of landscaping on the east side of Tee Pee Lane extending southward from Oso Blanca Road for approximately 1,155 feet and on the east and west sides of Oso Blanca Road and of the medians of Oso Blanca Road extending southward from Tee Pee Lane for approximately 997 feet consisting of landscaping and irrigation to meet Town Center Landscaping Requirements for the proposed Sky Ridge Unit 1 subdivision. If approved, the applicant will be required to sign an Encroachment Agreement, which has conditions of maintenance, liability and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Copy of Encroachment Exhibit "A" (Tee Pee Lane at Oso Blanca Road)

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – UNANIMOUS with MACK abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Southwest Engineering on behalf of Richmond American Homes, owners (northwest corner of Chieftain Street and Centennial Parkway, APN 125-19-802-012) - County (near Ward 6 - Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This request is to connect 28 single family dwellings located at the northwest corner of Chieftain Street and Centennial Parkway. The owners proposed to connect to an existing 10-inch sewer line located in Centennial Parkway. The Planning Department has determined the project does conform to the City's General Plan for the area; there is sufficient capacity in the City Sanitary Sewer. The applicants have signed a "Sewer Connection Agreement." This property is within the Clark County Interlocal Annexation Exceptions area and cannot be annexed to the City.

RECOMMENDATION:

Public Works recommends approval subject to conformance with all City codes and departmental standards and off-site improvements.

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Encroachment Request from MM & K Trust, owner (Tenth Street at Garces Avenue) - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed encroachment shall consist of an approximate 10.5 feet wide area of landscaping on the west side of Tenth Street extending approximately 22 feet along the property line consisting of trees, shrubs, ground cover and an irrigation system for the proposed O'Bannon Office Building. If approved, the applicant will be required to sign an Encroachment Agreement, which has conditions of maintenance, liability and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Copy of Encroachment Exhibit "A" (Tenth Street at Garces Avenue)

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Construction Management Agreement with TJ Consulting for construction management services on Fire Station No. 8 located at Mojave Road and Harris Avenue, Fire Station No. 47 located at Alta Drive and Carriage Hill Drive and Freedom Park Pool located at Pecos Road and Washington Avenue (\$184,912 - Various Capital Project Funds) -Wards 2 and 3 (Wolfson and Reese)

Fiscal Impact

☐

No Impact

Amount: \$184,912

☒

Budget Funds Available

Dept./Division: Public Works/Eng. Integration

☐

Augmentation Required

Funding Source: Various Capital Project Funds

PURPOSE/BACKGROUND:

The scope of work includes two new prototype fire stations and a park swimming pool and bathhouse.

RECOMMENDATION:

That the City Council approve the negotiated Construction Management Agreement with TJ Consulting for the Construction Management services of Fire Station No. 8, Fire Station No.47 and Freedom Park Pool in the amount of \$184,912 and approve an Additional Services contingency reserve of \$20,000.

BACKUP DOCUMENTATION:

Construction Management Agreement

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Interlocal Agreement with the Las Vegas Valley Water District for water service at Mirabelli Community Center located at 6200 Hargrove Avenue (\$1,896 - Capital Improvement Projects Fund) - Ward 1 (Moncrief)

Fiscal Impact

☐

No Impact

Amount: \$1,896

☒

Budget Funds Available

Dept./Division: Public Works/Eng. Integration

☐

Augmentation Required

Funding Source: CIP Fund

PURPOSE/BACKGROUND:

A necessary part of this project is the installation of water service. Before the Las Vegas Valley Water District will sign the service connection documents and allow the City to install the water service, the Interlocal Agreement with conditional water commitment must be executed and the required fees paid.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Interlocal Agreement No. 110388
2. Submitted after Final Agenda - Comment letter from Charleston Neighborhood Preservation

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Designated Services Agreement with Terracon Consultants Inc., for material testing and special inspection services of Mirabelli Community Center Demo and Rebuild located at Elton Avenue and Hargrove Avenue (\$36,742 - Capital Improvement Projects Fund) - Ward 1 (Moncrief)

Fiscal Impact

☐

No Impact

Amount: \$36,742

☒

Budget Funds Available

Dept./Division: Public Works/Eng. Integration

☐

Augmentation Required

Funding Source: CIP Fund

PURPOSE/BACKGROUND:

To provide construction material testing and special inspection services during the construction of a proposed 32,000 square foot community center.

RECOMMENDATION:

That the City Council approve the negotiated Designated Service Agreement with Terracon Consultants Inc., for Construction Material Testing and Special Inspection Services for Mirabelli Community Center in the amount of \$36,742 and approve an Additional Services contingency reserve of \$5,000.

BACKUP DOCUMENTATION:

1. Designated Services Agreement
2. Submitted after Final Agenda - Comment letter from Charleston Neighborhood Preservation

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – UNANIMOUS with MACK abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a First Amendment to a Construction Management Agreement with TJ Consulting for construction management for Washington and Buffalo Park Phase 1A and 1B located at Washington Avenue and Buffalo Drive (\$92,460 - Capital Project Funds) - Ward 4 (Brown)

Fiscal Impact☐**No Impact****Amount:** \$92,460☒**Budget Funds Available****Dept./Division:** Public Works/Eng. Integration☐**Augmentation Required****Funding Source:** Capital Project Funds**PURPOSE/BACKGROUND:**

The City of Las Vegas is currently constructing Washington and Buffalo Park located on approximately 105 acres at Washington Avenue and Buffalo Drive. TJ Consulting is currently performing the Construction Management for the project. After the original Construction Management Agreement was approved, the construction term was extended by addendum. This First Amendment will maintain their services through the revised construction term.

RECOMMENDATION:

That the City Council approve the negotiated First Amendment to a Construction Management Agreement with TJ Consulting for Construction Management for Washington and Buffalo Park Phase 1A and 1B in the amount of \$92,460.

BACKUP DOCUMENTATION:

First Amendment

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Blanket Services Agreement with Kennedy Jenks Consultant Inc., for the design services of Trails, Trailheads and various amenities (\$500,000 - Southern Nevada Public Lands Management Act) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$500,000

☒

Budget Funds Available

Dept./Division: Public Works/Eng. Integration

☐

Augmentation Required

Funding Source: SNPLMA

PURPOSE/BACKGROUND:

To provide ongoing consultant design services for the construction of a series of Trails, Trailheads and various amenities, to be individually identified in future project task orders.

RECOMMENDATION:

That the City Council approve the negotiated Blanket Services Agreement with Kennedy Jenks Consultant Inc., for the design services of Trails, Trailheads and various amenities in the amount not to exceed \$500,000.

BACKUP DOCUMENTATION:

Blanket Services Agreement

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of the installation of Speed Humps on Wilmington Way between Richfield Boulevard and Wyandotte Street (\$7,800 - Neighborhood Traffic Management Program) - Ward 1 (Moncrief)

Fiscal Impact

☐

No Impact

Amount: \$7,800

☒

Budget Funds Available

Dept./Division: Public Works/Traffic Eng.

☐

Augmentation Required

Funding Source: Neighborhood Traffic Management Program

PURPOSE/BACKGROUND:

Residents on Wilmington Way between Richfield Boulevard and Wyandotte Street have requested the installation of speed humps on their street. Studies conducted on this roadway showed that the 85th percentile speed was 32 mph and the volume of traffic was 1,141 vehicles per day. Wilmington Way accumulated 50 points; a total of 40 points is necessary to meet the speed hump criteria. The street is not an emergency response route.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of the installation of Speed Humps on Spencer Street between St. Louis Avenue and Oakley Boulevard (\$7,800 - Neighborhood Traffic Management Program) - Ward 3 (Reese)

Fiscal Impact☐**No Impact****Amount:** \$7,800☒**Budget Funds Available****Dept./Division:** Public Works/Traffic Eng.☐**Augmentation Required****Funding Source:** Neighborhood Traffic Management Program**PURPOSE/BACKGROUND:**

Councilman Reese has requested the installation of speed humps on Spencer Street between St. Louis Avenue and Oakley Boulevard. Studies conducted on this roadway showed that the 85th percentile speed was 38 mph and the volume of traffic was 471 vehicles per day. Spencer Street accumulated 21 points; a total of 40 points is necessary to meet the speed hump criteria. Spencer Street is not an emergency response route.

RECOMMENDATION:

Staff: Denial

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – ABEYANCE to 10/6/2004 – UNANIMOUS

MINUTES:

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

APPEARANCES:

GARY REESE, Councilman
RICHARD GOECKE, Director, Public Works
OSCAR GOODMAN, Mayor
BRAD JERBIC, City Attorney
MICHAEL MACK, Councilman
LARRY BROWN, Councilman
STEVE WOLFSON, Councilman
LAWRENCE WEEKLY, Councilman
AL GALLEG0, Citizen

(9:46 – 9:55)

1-1356

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of the installation of Speed Humps on Valley Drive between Coran Lane and Lake Mead Boulevard (\$10,400 - Neighborhood Traffic Management Program) - Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount:** \$10,400☒**Budget Funds Available****Dept./Division:** Public Works/Traffic Eng.☐**Augmentation Required****Funding Source:** Neighborhood Traffic Management Program**PURPOSE/BACKGROUND:**

Residents on Valley Drive between Coran Lane and Lake Mead Boulevard have requested the installation of speed humps of their street. Studies conducted on this roadway showed that the 85th percentile speed was 40 mph and the volume of traffic was 1,416 vehicles per day. Valley Drive accumulated 58 points; a total of 40 points is necessary to meet the speed hump criteria. Valley Drive is not an emergency response route.

RECOMMENDATION:

Traffic and Parking Commission: Approval

Staff: Approval

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – UNANIMOUS with MACK abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41: APPROVED under separate actions (see individual items)

Item 55: ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of the installation of Speed Humps on Jo Marcy Drive between Tule Springs Road and Cimarron Road (\$10,400 - Neighborhood Traffic Management Program) - Ward 6 (Mack)

Fiscal Impact☐**No Impact****Amount:** \$10,400☒**Budget Funds Available****Dept./Division:** Public Works/Traffic Eng.☐**Augmentation Required****Funding Source:** Neighborhood Traffic Management Program**PURPOSE/BACKGROUND:**

Residents on Jo Marcy Drive between Tule Springs Road and Cimarron Road have requested the installation of speed humps on their street. Studies conducted on this roadway showed that the 85th percentile speed was 41 mph and the volume of traffic was 802 vehicles per day. Jo Marcy Drive accumulated 61 points; a total of 40 points is necessary to meet the speed hump criteria. The street is not an emergency response route.

RECOMMENDATION:

Traffic and Parking Commission: Approval
Staff: Approval

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41: APPROVED under separate actions (see individual items)

Item 55: ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Amendment No. 2 to Highway Agreement No. P624-03-063 with the Nevada Department of Transportation to design and construct road improvements at the Charleston Boulevard/Valley View Boulevard intersection utilizing Federal Safety Funds and Nevada Department of Transportation Funds - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This amendment is necessary to extend the agreement expiration date from December 31, 2004 to December 31, 2005.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Amendment No. 2

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Bill of Sale No.107811 to the Las Vegas Valley Water District (LVVWD) for transfer of ownership of water distribution facilities installed in conjunction with the Rainbow Boulevard Improvements - Northern Section, Rancho Road to Ann Road - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The City desires to transfer ownership of water distribution facilities to the LVVWD. These facilities were installed in conjunction with the Rainbow Boulevard SID No.1486, Rancho Road to Ann Road.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Bill of Sale

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Bill of Sale No.107046 to the Las Vegas Valley Water District (LVVWD) for transfer of ownership of water distribution facilities installed in conjunction with Special Improvement District No.1478 - Vegas Drive/Owens Avenue, Rancho Drive to Interstate 15 - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The City desires to transfer ownership of water distribution facilities to the Las Vegas Valley Water District. These facilities were installed in conjunction with the Vegas Drive/Owens Avenue, Rancho Drive to Interstate 15 project.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Bill of Sale

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Dedication from the City of Las Vegas, for a portion of the Southeast Quarter of Section 27, Township 20 South, Range 61 East, Mount Diablo Meridian, for rights-of-way located along Veterans Memorial Drive between Washington Avenue and Bonanza Road and Sycamore Lane between Biltmore Drive and Veterans Memorial Drive, APNs 139-27-708-011, 010, 013 and 899-019 - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Amendment No. 1 to Highway Agreement No. P860-03-063 with the Nevada Department of Transportation to design and construct road improvements at the intersection of Charleston Boulevard and Rampart Boulevard/Fort Apache Road - Ward 2 (Wolfson)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This amendment is necessary to extend the agreement expiration date from December 31, 2004 to December 31, 2005.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Amendment No. 1

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-147-2004 - Approval of a Resolution Awarding Bid for Special Improvement District No. 1503 - Durango Drive Phase IV (Tropical Parkway to Clark County Highway 215) (\$246,727 - Capital Projects Fund/Special Assessments) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$246,727

☒

Budget Funds Available

Dept./Division: Public Works/SID

☐

Augmentation Required

Funding Source: Capital Projects Fund/Special Assessments

PURPOSE/BACKGROUND:

Installation of pavement, curb, gutter, sidewalk, commercial driveways and streetlights.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-147-2004

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-148-2004 - Approval of a Resolution amending Schedules 25-II, 35 MPH Speed Limits, and 25-IV, 45 MPH speed limits, to change the speed limit on Jones Boulevard between Farm Road and Grand Teton Drive from 45 MPH to 35 MPH - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/Traffic Eng.

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Staff is requesting a decrease in the speed limit on Jones Boulevard between Farm Road and Grand Teton Drive from 45 mph to 35 mph. This section of Jones Boulevard is posted 45 mph but is not fully improved; there are intermittent stretches of saw tooth pavement. Staff recommends the 35 mph speed limit for safety reasons until the road is fully improved.

RECOMMENDATION:

Traffic and Parking Commission: Approval

Staff: Approval

BACKUP DOCUMENTATION:

1. Map
2. Resolution No. R-148-2004

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41: APPROVED under separate actions (see individual items)

Item 55: ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-149-2004 - Approval of a Resolution amending Schedules 25-II, 35 MPH Speed Limits, and 25-IV, 45 MPH Speed Limits, to change the speed limit on Durango Drive between Desert Inn Road and Sahara Avenue from 35 MPH to 45 MPH - Ward 2 (Wolfson)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/Traffic Eng.

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Staff is requesting an increase in the speed limit on Durango Drive between Desert Inn Road and Sahara Avenue from 35 mph to 45 mph. This stretch of Durango Drive is now fully improved. Speed studies have showed that the 85th percentile speed is 50 mph. The east side of Durango Drive is in the County, and the County has already posted this side at 45 mph.

RECOMMENDATION:

Traffic and Parking Commission: Approval

Staff: Approval

BACKUP DOCUMENTATION:

1. Map
2. Resolution No. R-149-2004
3. Submitted after Final Agenda - Comment letter from Charleston Neighborhood Preservation

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

There was no related discussion.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of an Assignment and Option Agreement with Affordable Housing Resource Council (AHRC) (the Assignor) and Silver Sky Assisted Living Limited Partnership (Assignee) to purchase approximately ten (10) acres of City of Las Vegas land located in the vicinity of Silver Sky Drive and Roland Wiley, Las Vegas, Nevada for development and construction of a senior assisted living project and senior housing - Ward 2 (Wolfson)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

BLM conveyed this land to the CLV by legislation for affordable housing development. Through a Request for Application process, the Model Assisted Living Advisory Committee selected Affordable Housing Resource Council/Affirmative Investment to design, build & manage an assisted living facility to serve low-income seniors. 3/17/04 Council approved 3 options to purchase with AHRC. The Assignor desires that 3 Options become one option and be assigned to the Limited Partnership formed for this venture. Purchase is a requirement for receiving allocated tax credits & funding to build the project.

RECOMMENDATION:

The 9/14/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. Assignment and Option Agreement
2. Site Map
3. Submitted after Final Agenda - Comment letter from Charleston Neighborhood Preservation

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004

Consent – Real Estate

Item 66 - Approval of an Assignment and Option Agreement with Affordable Housing Resource Council (AHRC) (the Assignor) and Silver Sky Assisted Living Limited Partnership (Assignee) to purchase approximately ten (10) acres of City of Las Vegas land located in the vicinity of Silver Sky Drive and Roland Wiley, Las Vegas, Nevada for development and construction of a senior assisted living project and senior housing - Ward 2 (Wolfson)

MINUTES:

Under Item 3 (see Item 4), COUNCILWOMAN MONCRIEF reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of a Grant, Bargain and Sale Deed from Astoria Lone Mountain 30, LLC, to the City of Las Vegas for approximately 21,000 square feet of land in the vicinity of Gilmore Avenue on APN 137-12-201-014 - Ward 4 (Brown)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works/Real Estate☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Astoria Lone Mountain 30, LLC, is requesting to deed approximately 21,000 square feet of land on APN 137-12-201-014 to the City. This is an unusable remnant piece of land to Astoria. The Grant, Bargain and Sale Deed would give support to the City should the City decide to extend Gilmore Avenue.

RECOMMENDATION:

The 9/14/2004 Real Estate Committee and staff recommend approval.

BACKUP DOCUMENTATION:

1. Grant, Bargain and Sale Deed
2. Site map
3. Disclosure of Principals

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

Under Item 3 (see Item 4), COUNCILWOMAN MONCRIEF reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of entering into negotiations with KB Homes to purchase a portion of APN 125-08-401-004 located at Grand Teton Drive and US-95 North from the City of Las Vegas (CLV) - Ward 6 (Mack)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works/Real Estate☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

CLV purchased the parcel 12/03 in conjunction with future roadway and Rights-of-Way for the Grand Teton overpass. KB Homes is interested in possibly developing a residential subdivision just north of this parcel. The parcel consists of approximately 6.23 acres. CLV needs approximately 2.0 acres for Right-of-Way purposes and wishes to attempt to sell the excess for housing development.

RECOMMENDATION:

The 9/14/2004 Real Estate Committee and staff recommend approval.

BACKUP DOCUMENTATION:

Site Map

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

Under Item 3 (see Item 4), COUNCILWOMAN MONCRIEF reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of Interlocal Agreement 110273 between the City of Las Vegas and the Las Vegas Valley Water District (LVVWD) for a water line extension on APN 139-27-708-008 commonly known as the Reed Whipple Cultural Center located at 821 North Las Vegas Boulevard - Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works/Real Estate☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

A necessary part of this project is the installation of water service. Before LVVWD will sign the service connection documents and allow the City to install the water service, the Interlocal Agreement with conditional water commitment must be executed.

RECOMMENDATION:

The 9/14/2004 Real Estate Committee and staff recommend approval.

BACKUP DOCUMENTATION:

1. Interlocal Agreement 110273
2. Site Map

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – **UNANIMOUS** with **MACK** abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

Items 3, 35, 38 & 41:

APPROVED under separate actions (see individual items)

Item 55:

ABEYANCE under separate action (see individual item)

MINUTES:

Under Item 3 (see Item 4), COUNCILWOMAN MONCRIEF reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

ABEYANCE ITEM - Approval of entering into negotiations with The Shade Tree, Inc., for the purchase of approximately one acre of City land in the vicinity of Owens Avenue and Main Street for an off-site expansion - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The City of Las Vegas (CLV) is in receipt of a letter from The Shade Tree, Inc., dated 8/10/04. They have requested to enter into a Purchase and Sale Agreement with CLV for approximately one acre of land for an off-site expansion. The land requested is adjacent to the west parking lot wall of their existing property.

RECOMMENDATION:

Staff recommends approval to enter into negotiations with The Shade Tree, Inc., to bring the Purchase and Sale Agreement back to Council for consideration

BACKUP DOCUMENTATION:

1. 8/10/04 Letter from The Shade Tree, Inc.
2. Site Map

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – UNANIMOUS with MACK abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

NOTE: COUNCILMAN MACK disclosed for Item 3 that his company, Mack Consulting, recently began negotiating with Clear Channel Advertising on behalf of his clients. Clear Channel Entertainment and Clear Channel Outdoor are subsidiaries of the parent Clear Channel Corporation, although they do not share corporate officers. Neither group has ever negotiated business involving any of the other Clear Channel subsidiaries, and COUNCILMAN MACK felt

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004

Consent – Real Estate

Item 70 - Approval of entering into negotiations with The Shade Tree, Inc., for the purchase of approximately one acre of City land in the vicinity of Owens Avenue and Main Street for an off-site expansion - Ward 5 (Weekly)

MOTION – Continued:

that the connection was so remote that it was improbable any conflict would ever rise. Therefore, he indicated that he would continue to vote on items involving SFX Marketing. In addition, Items 22, 70, 71, and 72 involve locations near SuperPawn shops owned by his brother, Steven Mack. Due to the pending sale of all SuperPawn shops, he no longer is a consultant for his brother's company. His brother has not mentioned any of the aforementioned items to him, nor did COUNCILMAN MACK believe that these items would affect his brother's interests; therefore, COUNCILMAN MACK said he would be voting on Items 22, 70, 71, and 72.

MINUTES:

Under Item 3 (see Item 4), COUNCILWOMAN MONCRIEF reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

ABEYANCE ITEM - Approval of entering into negotiations with The Salvation Army for a Purchase Agreement for approximately 3.165 acres of land in the vicinity of Owens Avenue and Main Street for The Salvation Army and HAND Development Company for co-development of an affordable family housing community - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

City of Las Vegas (CLV) is in receipt of a letter from The Salvation Army dated 6/7/04. They have requested to enter into a Purchase Agreement with CLV for approximately 3.165 acres of land on which to develop an affordable family housing community consisting of 68 apartment units, a 2,000 sq. ft. recreation building and small play area.

RECOMMENDATION:

The 8/31/2004 Real Estate Committee and staff recommend approval to enter into negotiations with The Salvation Army to bring the Purchase Agreement back to Council for consideration

BACKUP DOCUMENTATION:

1. 6/7/04 Letter from The Salvation Army
2. Site Map

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – UNANIMOUS with MACK abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

NOTE: COUNCILMAN MACK disclosed for Item 3 that his company, Mack Consulting, recently began negotiating with Clear Channel Advertising on behalf of his clients. Clear Channel Entertainment and Clear Channel Outdoor are subsidiaries of the parent Clear Channel Corporation, although they do not share corporate officers. Neither group has ever negotiated business involving any of the other Clear Channel subsidiaries, and COUNCILMAN MACK felt

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004

Consent - Real Estate

Item 71 – Approval of entering into negotiations with The Salvation Army for a Purchase Agreement for approximately 3.165 acres of land in the vicinity of Owens Avenue and Main Street for The Salvation Army and HAND Development Company for co-development of an affordable family housing community - Ward 5 (Weekly)

MOTION – Continued:

that the connection was so remote that it was improbable any conflict would ever rise. Therefore, he indicated that he would continue to vote on items involving SFX Marketing. In addition, Items 22, 70, 71, and 72 involve locations near SuperPawn shops owned by his brother, Steven Mack. Due to the pending sale of all SuperPawn shops, he no longer is a consultant for his brother's company. His brother has not mentioned any of the aforementioned items to him, nor did COUNCILMAN MACK believe that these items would affect his brother's interests; therefore, COUNCILMAN MACK said he would be voting on Items 22, 70, 71, and 72.

MINUTES:

Under Item 3 (see Item 4), COUNCILWOMAN MONCRIEF reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilwoman Moncrief and Councilman Wolfson

Approval of a Lease Agreement with The Salvation Army to provide use of the former Crisis Intervention Center facility located at 1581 North Main Street - Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works/Real Estate☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The Salvation Army has requested to extend their current Lease Agreement with the City for a period of five years for use of the former Crisis Intervention Center facility. During which, The Salvation Army will be responsible for all costs, including utilities, maintenance, and security. The use of the premises includes the Christmas Angel Program, Family Services, Back-To-School Headquarters, Triage Center for Emergency Disaster Interventions, Coats for Kids, Family Resource Center and Family-to-Family Connection.

RECOMMENDATION:

The 9/14/2004 Real Estate Committee and staff recommend approval.

BACKUP DOCUMENTATION:

Lease Agreement

MOTION:

REESE – APPROVED Items 4-34, 36, 37, 39, 40, 42-54, and 56-72 – UNANIMOUS with MACK abstaining on Items 8 and 9 because they involve the Lady Luck Casino, with which his brother-in-law, Andrew Donner, has a contract related to its non-restricted gaming license

NOTE: COUNCILMAN MACK disclosed for Item 3 that his company, Mack Consulting, recently began negotiating with Clear Channel Advertising on behalf of his clients. Clear Channel Entertainment and Clear Channel Outdoor are subsidiaries of the parent Clear Channel Corporation, although they do not share corporate officers. Neither group has ever negotiated business involving any of the other Clear Channel subsidiaries, and COUNCILMAN MACK felt

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004

Consent – Real Estate

Item 72 – Approval of a Lease Agreement with The Salvation Army to provide use of the former Crisis Intervention Center facility located at 1581 North Main Street - Ward 5 (Weekly)

MOTION – Continued:

that the connection was so remote that it was improbable any conflict would ever rise. Therefore, he indicated that he would continue to vote on items involving SFX Marketing. In addition, Items 22, 70, 71, and 72 involve locations near SuperPawn shops owned by his brother, Steven Mack. Due to the pending sale of all SuperPawn shops, he no longer is a consultant for his brother's company. His brother has not mentioned any of the aforementioned items to him, nor did COUNCILMAN MACK believe that these items would affect his brother's interests; therefore, COUNCILMAN MACK said he would be voting on Items 22, 70, 71, and 72.

MINUTES:

Under Item 3 (see Item 4), COUNCILWOMAN MONCRIEF reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:31 – 9:38)

1-815

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY MANAGER**DIRECTOR: DOUGLAS A. SELBY**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ADMINISTRATIVE:

Discussion and possible action regarding the City's role and involvement in the Veteran's Day Parade (\$7,500 – Special Revenue Fund)

Fiscal Impact☐**No Impact****Amount: \$7,500**☒**Budget Funds Available****Dept./Division: City Manager**☐**Augmentation Required****Funding Source: Special Revenue Fund****PURPOSE/BACKGROUND:**

The Las Vegas Veteran's Day Parade Committee has requested \$16,379 in financial support from the City for the 2004 Veteran's Day Parade (to be held on Thursday, November 11, 2004). Ordinance 5567 provides the City Manager authority to grant waivers of up to \$7,500 per parade in fees for city services; authority to act on requests exceeding \$7,500 or to provide other financial support in connection with a parade rests with the City Council. For the 2003 Veteran's Day Parade, the City approved a waiver of up to \$11,668.50 to cover the difference in the proposed budgeted amount over the funding provided by a Clark County grant (\$10,000). The City's contribution covered the City costs (cleanup, showmobile rental and cleanup, and bleacher rental and cleanup) as well as the cost for Metropolitan Police requirements, the barricade plan and some communications equipment rental.

RECOMMENDATION:

Consider the request by the Parade Committee and direct staff as appropriate.

BACKUP DOCUMENTATION:

1. Las Vegas Veteran's Day Parade Committee letter
2. 2004 Proposed Project Budget
3. Submitted at meeting: folder containing leaflet and flyer promoting the Veterans Day Parade and letter from the Veterans Day Parade Committee with attached entrant forms

MOTION:

GOODMAN – APPROVED financial support in the amount of \$16,379 and directed staff to seek reimbursement from Fremont Street Experience, LLC, for this year's parade and to also try to create a partnership for next year's parade – UNANIMOUS

MINUTES:

WILLIAM STOJACK, Chairman of the Veterans Day Parade Committee, submitted a promotional package, which is made a part of these final minutes, and said that this year the Veterans Parade Committee partnered with Nellis Air Force Base, who is celebrating its Aviation Nation celebration for the 60th anniversary of the D-Day Invasion. The County was concerned

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004

Administrative

Item 73 – Discussion and possible action regarding the City's role and involvement in the Veteran's Day Parade (\$7,500 – Special Revenue Fund)

MINUTES – Continued:

about this year's parade budget because it is in excess of \$90,000; however, that is because this year's budget reflects in-kind contributions supporting the parade. Also, expenses for police service is more expensive, about \$3,800, because the parade is on the actual Veteran's Day holiday. He went over the type of advertising literature included in the promotional package. Also, three public service announcements were produced with in-kind contributions. It is anticipated that the air show will attract over 100,000 people this year, 30% of which are tourists. He explained that the Committee is trying to become less dependent on the City and County, and has even raised its entrant fees. Last year the parade was televised in San Diego, and this year it will be carried nationwide.

MAYOR GOODMAN asked MR. STOJACK how much money the Committee requested from the County. MR. STOJACK answered that it petitioned the County for \$20,000, but it only awarded them \$10,000 because they said the parade is held in the City. MAYOR GOODMAN felt that was a valid reason for the City to help the Committee with the parade. He then asked CITY MANAGER SELBY to seek reimbursement from Fremont Street Experience, LLC., since it benefits from the people that come to the downtown area. Also, he noted that he was shocked to find out that the air show is gratis.

MAYOR GOODMAN asked MR. STOJACK if he has approached the Convention Authority for assistance, because the parade brings in millions of dollars in room tax. MR. STOJACK answered that he intends to do so. MAYOR GOODMAN felt strongly that providing assistance is the right thing to do, especially after the many sacrifices veterans have made to make this country what it is. COUNCILMAN MACK mentioned that the exposure the City of Las Vegas will receive is worth the expenditure.

DEPUTY CITY MANAGER FRETWELL verified with MAYOR GOODMAN that he wants staff to seek reimbursement from Fremont Street Experience, LLC, for the City's contribution portion to this year's parade and to also try to create a partnership for next year's parade.

(9:55 – 10:04)

1-1697

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: ADMINISTRATION**DIRECTOR: DOUGLAS A. SELBY**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ADMINISTRATIVE:

Report and possible action regarding the Clark County Health District staff presentation concerning West Nile Virus issues in Southern Nevada

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The Clark County Health District will make a presentation concerning issues and activities related to the detection of the West Nile virus in Southern Nevada.

RECOMMENDATION:

Receive the report and direct staff accordingly.

BACKUP DOCUMENTATION:

Submitted after meeting: hardcopies of two PowerPoint presentations

MOTION:

REESE – ACCEPTED the report - UNANIMOUS

MINUTES:

COUNCILMAN REESE stated that, as a member of the Clark County Health Board, he was given a report, and he felt that it was important for the other Councilmembers and the public to receive the same presentation to realize the problems that may arise in Clark County, as well as in neighboring Nye and Lincoln Counties.

GLENN SAVAGE, Environmental Health Director, Clark County Health District, introduced KATIE DALEY, Epidemiologist, and DANIEL MAXSON, Special Projects Supervisor in the Environmental Health Division, who made PowerPoint presentations, which are made a part of the minutes. MS. DALEY updated the Council on the West Nile Virus, including modes of transmission, description of infection, human cases identified in Clark County, and protective measures. MR. MAXSON reported on the West Nile Virus Surveillance Project and the steps being taken in an attempt to prevent and control West Nile cases.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004

Administrative

Item 74 – Report and possible action regarding the Clark County Health District staff presentation concerning West Nile Virus issues in Southern Nevada

MINUTES – Continued:

COUNCILMAN REESE asked MR. MAXSON how many Health District employees check for stagnant water. MR. MAXSON responded that there are eight staff members.

MAYOR GOODMAN asked if it is true that mosquitoes do not transmit disease as a result of biting someone and then accumulating the blood, and a human cannot become infected with a disease such as AIDS from a mosquito bite. MR. MAXSON indicated that there are no known cases of that kind of transmission. Part of the reason is because of survivability and amplification in the population. West Nile is unique in that it amplifies through the birds. The mosquitoes bite the birds and then horses and humans, who are incidental hosts.

(10:04 – 10:22)

1-2065

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: BUSINESS DEVELOPMENT**DIRECTOR: SCOTT D. ADAMS**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Report on the New Markets Tax Credit application process and on requests from three community groups to receive participation from the City of Las Vegas in support of their respective applications to the Department of Treasury - Wards 1 and 5 (Moncrief and Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The U.S. Department of Treasury, through its Community Development Financial Institutions Fund, has released a Notice of Allocation Availability for New Markets Tax Credits. New Markets Tax Credits can be used by private investors which make qualified investments in low-income communities. Qualified investments include loans to businesses in low-income communities and commercial real estate development loans in low-income communities. The application is a two-step process. An applicant first must be qualified as a Community Development Entity by the Department of Treasury. Once qualified, the applicant must submit a New Markets Tax Credit application by October 6, 2004. Applications are evaluated according to the applicant's business strategy, capitalization strategy, management capacity, and community impact. There are three applications being proposed from local community groups.

RECOMMENDATION:

Report only; no action required.

BACKUP DOCUMENTATION:

1. Notice of Allocation Availability Community Development Financial Institutions Fund
2. Submitted after meeting: hardcopy of PowerPoint presentation

MOTION:

None required. A report was given.

MINUTES:

A Verbatim Transcript is made a part of the Final Minutes.

APPEARANCES:

OSCAR GOODMAN, Mayor

SCOTT ADAMS, Director, Office of Business Development

BRAD JERBIC, City Attorney

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004

Business Development

Item 75 – Report on the New Markets Tax Credit application process and on requests from three community groups to receive participation from the City of Las Vegas in support of their respective applications to the Department of Treasury - Wards 1 and 5 (Moncrief and Weekly)

APPEARANCES – Continued:

MIKE MUSHKIN, 930 S. Third Street

JACK SOLOMON, President, Las Vegas Arts District Neighborhood Association

ED GARCIA, Jones Vargas, World Market Center

(10:22 – 10:47)

1-2928/2-1

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Theresa Yvonne Carr, 3255 Epsom Street, Las Vegas, Nevada 89129

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:

REESE – Motion to bring forward and STRIKE Items 76 and 98 and Hold in ABEYANCE Items 77 and 80 to 10/6/2004 – UNANIMOUS

MINUTES:

There was no discussion.

(9:29 – 9:30)

1-755

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: James Jason Walker, 3240 Westwind Road, Las Vegas, Nevada 89146

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

1. Appellant Letter of Appeal
2. City Clerk Notification Letter to Appellant
3. Letter in Support of Hiring

MOTION:

REESE – Motion to bring forward and STRIKE Items 76 and 98 and Hold in ABEYANCE Items 77 and 80 to 10/6/2004 – UNANIMOUS

MINUTES:

There was no discussion.

(9:29 – 9:30)

1-755

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding a new Psychic Art and Science License, Nina Demetro, dba Psychic World, 1820 Hassett Avenue, Nina Demetro, 100% - Ward 3 (Reese)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding a new Psychic Art and Science License

RECOMMENDATION:

Recommendation to be given following discussion of this item at the City Council meeting

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED the license subject to a six-month (3/16/2005) review and prohibiting door-to-door solicitation of services and services at her home – UNANIMOUS

MINUTES:

The applicant was present.

JIM DiFIORE, Manager, Business Services, indicated that there was no area of concern with MS. DEMETRO'S background check. However, during the report, it was brought to his attention that she intended to go door-to-door as part of her operation. He spoke with her and she assured him that is not the case. She would like to open a commercial location but does not have the money. She was scheduled to provide services at the San Gennaro Feast, and she will be limited to various events until she finds a commercial location and by appointment only. MR. DiFIORE suggested approval subject to a six-month review and prohibiting her to go door-to-door to solicit her services. No services will be performed at her home. COUNCILMAN REESE confirmed with MS. DEMETRO that she understood the conditions.

(10:47 – 10:49)

2-380

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License subject to the provisions of the fire codes and Health Dept. regulations, From: Kowloon, LLC, dba Kowloon Cuisine, Yuk S. Wong, Mgr, 60%, Xiao-Yun Zhu, Mgr, 40%, To: Steven, LLC, dba Pho Tien Asian Cuisine, 1750 North Buffalo Drive, Suite 107, Steven Wynn, Mgr, Mmbr, 100% - Ward 4 (Brown)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Beer/Wine/Cooler On-sale License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes and Health Dept. regulations with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Steven Wynn
3. Map

MOTION:

BROWN – APPROVED the temporary license, subject to provisions as recommended, with the manager of Business Services granted the authority to approve the permanent license after completion of appropriate process - **UNANIMOUS**

MINUTES:

The applicant was present.

JIM DiFIORE, Manager, Business Services, indicated that the applicant met the criteria for consideration of a temporary license and suggested approval as recommended.

(10:49 - 10:50)

2-458

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding Change of Ownership, Location and Business Name for a Tavern License subject to the provisions of the planning codes and Health Dept. regulations, From: Bola III, LLC, dba La Salsa Fresh Mexican Grill, 4949 North Rancho Drive (Non-operational), Lawrence T. Simon, Mgr, Mmbr, and Monica A. Simon, Mgr, Mmbr, 13.77% jointly as husband and wife, Robert H. Whalen, Mgr, Mmbr, 5.3%, Laura A. Cunningham, Mgr, Mmbr, 1.06%, Nevada Franchise, LLC, Mmbr, 79.87%, Lawrence T. Simon, Mgr, Pres, Secy, Treas, SFFG, LLC, Mmbr, 100%, Lawrence T. Simon, Mgr, Pres, Secy, Treas, To: Celebrity Las Vegas, LLC, dba Celebrity Las Vegas, 201 North 3rd Street, Donald D. Troxel, Mgr, Mmbr, 100% **(NOTE: Item to be heard in the afternoon session in conjunction with Item 148 - SUP-4739) - Ward 5 (Weekly)**

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Change of Ownership, Location and Business Name for a Tavern License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning codes and Health Dept. regulations

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to bring forward and STRIKE Items 76 and 98 and Hold in ABEYANCE Items 77 and 80 to 10/6/2004 – UNANIMOUS

MINUTES:

There was no discussion.

(9:29 – 9:30)

1-755

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding Approval of Key Employee for a Tavern License and a Restricted Gaming License for 15 slots, Dick's Liquors, Inc., dba Cooler Lounge, 1903 North Decatur Boulevard, Jo Ann Milton, Key Employee - Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding Approval of Key Employee

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting

BACKUP DOCUMENTATION:

None

MOTION:

WEEKLY – APPROVED the temporary license, subject to a six-month (3/16/2005) review and subject to provisions as recommended, with the manager of Business Services granted the authority to approve the permanent license after completion of appropriate process - UNANIMOUS

MINUTES:

The applicant was present.

JIM DiFIORE, Manager, Business Services, turned the matter over to STACY RODD, Detective, Las Vegas Metropolitan Police Department, who referred to the confidential report and indicated that since MS. MILTON'S husband took over this business in 1981 she has been functioning as the de facto key employee without the proper licensure. Violations include service to minors and State and Municipal Code violations that were addressed with notices of non-compliance and citations. During one disturbance, the applicant was not present and refused to respond until MR. DiFIORE convinced her to come to the premises. All documentation and permits show that MS. MILTON, although not properly licensed, is the responsible party for the business.

MS. MILTON countered that she responded; it was her daughter that would not respond. The reason she has never been licensed is because her husband is the president of the corporation, on which she is not listed. She and her husband run the business, but she does the bookkeeping and the cleaning. Her husband could not respond to the one disturbance because he was in the hospital.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004

Finance and Business Services

Item 81 – Discussion and possible action regarding Approval of Key Employee for a Tavern License and a Restricted Gaming License for 15 slots, Dick's Liquors, Inc., dba Cooler Lounge, 1903 North Decatur Boulevard, Jo Ann Milton, Key Employee – Ward 5 (Weekly)

MINUTES – Continue:

MR. DiFIORE clarified that MR. MILTON, as a corporate officer, is an absentee owner, and that is why MS. MILTON was called forward as a key employee. He then suggested temporary approval with a six –month review. He noted that, because of the nature of the concerns, he is concerned about how the business is being operated and managed. If the problems continue, especially with the minors, he is going to bring the matter before the Council on cause for disciplinary action.

MS. MILTON interjected that the issue with the citation regarding the minors was dismissed with six-months probation. MAYOR GOODMAN mentioned to MS. MILTON if she and her husband do not run a clean establishment and follow the law, MR. DiFIORE could ask for disciplinary action, which could entail revoking the license for the store. MS. MILTON said that she fully understood.

(10:50 - 10:56)

2-490

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding a new Burglar Alarm Service License, All Secure, Inc., dba All Secure, Inc., 3904 Wharton Street, Noel Emanuel, Dir, Pres, Secy, Treas, 100% - Ward 6 (Mack)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding a new Burglar Alarm Service License

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting

BACKUP DOCUMENTATION:

None

MOTION:

MACK – APPROVED subject to a six-month (3/16/2005) review – UNANIMOUS

MINUTES:

The applicant was present.

JIM DiFIORE, Manager, Business Services, explained that this matter was brought before the Council because during the application process and changing businesses, the applicant had made two bid awards under another business, as the qualifying agent, and was given a stern warning by the Nevada Contractors Board. There are no suitability concerns that came up in the background check; however, he suggested a six-month review to ensure that no concerns arise.

MR. EMANUEL indicated that he holds multiple licenses in security and is fully licensed with the State of Nevada and with various jurisdictions. When he decided to go into business for himself, he informed the State Board that he would no longer be a QE (Qualifying Employee) and filed application for licensure; however, he did not know that he would be giving up his initial license by turning in his QE. When he found this out, he removed his old business license number and included the new one and has been doing business legally since then.

(10:56 – 10:59)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding Temporary Approval of a new Psychic Art and Science License subject to the provisions of the planning and fire codes, Jodi Ann Hazzard, dba Jodi Ann Hazzard, 6848 West Charleston Boulevard, Jodi Ann Hazzard, 100% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of a new Psychic Art and Science License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Jodi Ann Hazzard
3. Map
4. Submitted after Final Agenda - Opposition letter from Charleston Neighborhood Preservation

MOTION:

MONCRIEF – APPROVED the temporary license, subject to provisions as recommended, with the manager of Business Services granted the authority to approve the permanent license after completion of appropriate process – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that there is a SuperPawn shop owned by his brother, Steven Mack, which is under contract to be sold. He is no longer a consultant for his brother's company. He did not believe this matter would have any affect on his relative's business; therefore. he would be voting.

MINUTES:

The applicant was present.

JIM DiFIORE, Manager, Business Services, stated that the applicant met the requirements to be considered for a temporary license. He recommended approval of a temporary license.

(10:59 – 11:01)

2-787

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Class II Secondhand Dealer License subject to the provisions of the fire codes, From: Kid to Kid of Summerlin, LLC, dba Kid to Kid of Summerlin, LLC, Tina M. Vialard, Mmbr, 50%, Jeffrey R. Vialard, 50%, To: Home Planet, Inc., dba Kid to Kid, 8450 West Sahara Avenue, Suite 105, Douglas R. MacPherson, Dir, Pres, 50%, Fumiko MacPherson, Dir, Secy, Treas, 50% - Ward 1 (Moncrief)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding Temporary Approval of Change of Ownership and Business Name for a Class II Secondhand Dealer License

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Doug and Fumika MacPherson
3. Map

MOTION:

MONCRIEF – APPROVED the temporary license, subject to provisions as recommended, with the manager of Business Services granted the authority to approve the permanent license after completion of appropriate process – UNANIMOUS

MINUTES:

The applicant was not present.

JIM DiFIORE, Manager, Business Services, stated that the applicant met the requirements to be considered for a temporary license. He recommended approval of a temporary license.

(11:01)

2-837

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding a Six Month Review of a Tavern License and a Restricted Gaming License for 15 slots, Claudio Garcia, dba Sin Fronteras Bar & Nightclub, 1203 East Charleston Boulevard, Suites I and J, Claudio H. Garcia, 100% - Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding a Six Month Review of a Tavern License and a Restricted Gaming License for 15 slots

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

WEEKLY – APPROVED subject to a six-month 3/16/2005) review – **UNANIMOUS** with **WOLFSON** not voting

MINUTES:

The applicant was present.

JIM DiFIORE, Manager, Business Services, commented that when the applicant first applied for change in ownership, he indicated to his staff that he would be moving to Las Vegas to be able to operate his business, but he has not moved to Las Vegas. One of his relatives is the key employee. However, on numerous occasions officers of the Las Vegas Metropolitan Police Department have visited the business and found several violations, including employees without work cards, or alcohol awareness cards, and there was no key employee on site. MR. DiFIORE was concerned that MR. GARCIA is not taking responsibility for his actions or those of his employees. MR. GARCIA indicated that he is waiting to get a home here.

Upon recalling this matter after trailing it so that COUNCILMAN WEEKLY'S liaison, KELLY BENAVIDEZ, could speak with MR. GARCIA, MS. BENAVIDEZ indicated that MR. GARCIA informed her that he was in the process of purchasing a home in Las Vegas and should be residing in Las Vegas by the end of September.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004

Finance and Business Services

Item 85 – Discussion and possible action regarding a Six Month Review of a Tavern License and a Restricted Gaming License for 15 slots, Claudio Garcia, dba Sin Fronteras Bar & Nightclub, 1203 East Charleston Boulevard, Suites I and J, Claudio H. Garcia, 100% - Ward 5 (Weekly)

MINUTES – Continued:

MR. DiFIORE recommended another six-month review on the temporary license to see how the operations run until then.

MAYOR GOODMAN confirmed with MR. GARCIA, through MS. BENAVIDEZ, that he understands the conditions.

(11:01 – 11:05/1:55 – 1:56)

2-860/4-719

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - Discussion and possible action regarding a Six Month Review of a Tavern License, D. Westwood, Inc., dba Treasures, 2801 Westwood Drive, Ali Davari, Dir, Pres, Treas, 50%, Hassan Davari, Dir, Secy, 50% - Ward 1 (Moncrief)

Fiscal Impact

☐

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a Six Month Review of a Tavern License

RECOMMENDATION:

Recommendation to be provided following discussion of this item at the City Council meeting

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Verbatim Transcripts from September 1, 2004, June 16, 2004 and March 17, 2004
3. Submitted at meeting: Written Opinions for Mayor Goodman and Councilman Mack from City Attorney's Office
4. Submitted at meeting: Treasures Notebook from City Attorney Jerbic with information filed under seven tabs
5. Submitted at meeting: two certified Judgments for Jessica Lynn Crockett from City Attorney Jerbic
6. Submitted at meeting: copy of Penal Code, Sec. 35.02 with attached Harris County, Texas, Plaintiff's Notice of Seizure and Intended Forfeiture from City Attorney Jerbic
7. Submitted at meeting: Copies of two Las Vegas Metropolitan Police Department Confidential Reports from City Attorney Jerbic
8. Submitted at meeting: 8 Exhibits in Support of D. Westwood, Inc., dba Treasures, from Attorney Mark Fiorentino
9. Submitted at meeting: violations spreadsheet for various clubs

MOTION:

MONCRIEF – DENIED – UNANIMOUS with GOODMAN abstaining because his son, ROSS GOODMAN, was retained to represent certain employees of Treasures and MACK abstaining because Treasures is a client of Mack Consulting

MINUTES:

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004

Finance and Business Services

Item 86 - Discussion and possible action regarding a Six Month Review of a Tavern License, D. Westwood, Inc., dba Treasures, 2801 Westwood Drive, Ali Davari, Dir, Pres, Treas, 50%, Hassan Davari, Dir, Secy, 50% - Ward 1 (Moncrief)

MINUTES - Continued:

APPEARANCES:

OSCAR GOODMAN, Mayor

GARY REESE, Mayor Pro Tem

MICHAEL MACK, Councilman

BRAD JERBIC, City Attorney

LARRY BROWN, Councilman

STEVE WOLFSON, Councilman

JOHN REDLEIN, Assistant City Attorney

JIM DiFIORE, Business Services Division

MARK FIORENTINO, Attorney, representing D. Westwood, Inc.

BARBARA JO RONEMUS, City Clerk

LAWRENCE WEEKLY, Councilman

TOM DILLARD

GARY SCHOFIELD, Las Vegas Metropolitan Police Department

ROB WILLS, Lieutenant, Las Vegas Metropolitan Police Department

JANET MONCRIEF, Councilwoman

(11:05 – 1:55)

2-977/3-1/4-1

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding the population estimates for redistricting - All Wards

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The purpose of this item is to provide Council with a reliable population estimate for redistricting.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Submitted after Final Agenda - Comment letter from Charleston Neighborhood Preservation

MOTION:

BROWN – ACCEPTED the population estimates – UNANIMOUS

MINUTES:

ROBERT GENZER, Director, Planning and Development, stated that in order to prepare for next year's Municipal Election, his staff was asked to review the existing population numbers and to project numbers for 2004, understanding that redistricting may be necessary in order to meet the five percent tolerance rule.

TOM PERRIGO, Manager, Comprehensive Planning Division, commented that his staff generated the population estimates using the Housing Unit Method, which is widely accepted as one of the most reliable methodologies for estimating population. Referring to a table on the overhead, he indicated that the total population for 2003 was 535,269, with an estimated increase for 2004 of 24,000 or 559,455. Over half of that increase was in Ward 6. The wards with the largest population disparity were Wards 1 and 6. In 2003, that disparity was 24,000, or 30% difference. As of July 1, 2004, the disparity had grown to 36,638, roughly 46% difference. He recommended the Council receive these numbers as reliable for the purposes of redistricting.

COUNCILMAN MACK thanked staff for updating the population estimates, which will probably have to be done again in a couple years.

(1:56 – 2:00)

4-783

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: BUSINESS DEVELOPMENT**DIRECTOR: SCOTT D. ADAMS**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

RESOLUTIONS:

R-150-2004 - Discussion and possible action regarding a resolution authorizing the Mayor to appoint Directors to the Las Vegas Arts District Development Corporation (LVADDC) and to approve the City of Las Vegas to be designated the Controlling Entity of LVADDC in the Application for New Markets Tax Credits from the Department of Treasury - Ward 1 (Moncrief)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The Las Vegas Arts District has formed a nonprofit corporation, the Las Vegas Arts District Development Corporation (LVADDC), to apply for Community Development Entity status and New Markets Tax Credits from the Department of Treasury. The Arts District has requested that the City Council appoint a majority of the board members to LVADDC which would render the City as the "Controlling Entity" for the New Markets Tax Credit application. This Resolution authorizes the Mayor to appoint a majority of directors to LVADDC, subject to changes to the bylaws, indemnification of the directors and acceptable D & O insurance coverage. It also approves the City as the Controlling Entity in the New Markets Tax Credit Application.

RECOMMENDATION:

None

BACKUP DOCUMENTATION:

1. Resolution No. R-150-2004
2. Submitted after Final Agenda - Support and comment letter from Charleston Neighborhood Preservation

MOTION:**MONCRIEF – APPROVED – UNANIMOUS with MACK not voting****MINUTES:**

SCOTT ADAMS, Director, Office of Business Development, indicated that this matter involves a resolution that authorizes the Mayor to appoint a majority of the directors to the Arts District Development Corporation, subject to review and acceptance of the Corporation's bylaws for indemnity provisions and review and acceptance of the Corporation's insurance policy for the officers and directors.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004

Resolutions

Item 88 – R-150-2004

MINUTES – Continued:

MAYOR GOODMAN stressed that, based on the City Attorney's representations, he felt a level of confidence that the City would be protected.

(2:00 – 2:03)

4-911

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY CLERK**DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****BOARDS & COMMISSIONS:**

NEON MUSEUM BOARD OF TRUSTEES: Appointment by the City Council of one Class I City of Las Vegas Trustee, currently filled by Councilman Michael Mack, and one Class III City of Las Vegas Trustee, currently vacant

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

On August 21, 2002, by action of the City Council as the sole member of the Neon Museum Board, the City of Las Vegas was removed as the sole member of the Neon Museum Board. The new articles of incorporation and bylaws were amended to allow for three trustees from the City of Las Vegas, appointed by the City Council, to serve on the Board of Trustees. There are appointments available in Class I, which will expire in 2007 and Class III, which will expire in 2006.

RECOMMENDATION:

Recommendation for appointment of two trustees from the City of Las Vegas as follows:

Class I Seat (Expiration 2007) – Options are reappointment of Councilman Mack or appointment of a new trustee

Class III Seat (Expiration 2006) - Appointment of a new trustee to fill the vacant seat

BACKUP DOCUMENTATION:

Current Listing and Authority – Neon Museum Board of Trustees

MOTION:

GOODMAN – Motion to REAPPOINT COUNCILMAN MACK (Goodman's recommendation as Class I Trustee) and APPOINT STEVE EVANS (Goodman's recommendation as Class III Trustee), State of Nevada, 2200 S. Rancho Drive, Ste. #210, Las Vegas, Nevada 89102 – UNANIMOUS with WEEKLY not voting

Clerk to notify

MINUTES:

There was no discussion.

(2:03 – 2:04)

4-998

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY CLERK**DIRECTOR:** BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

BOARDS & COMMISSIONS:

TRAFFIC & PARKING COMMISSION – John J. Phillips, Term Expiration 10-18-2004

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The members are appointed by the Mayor and confirmed by the City Council such that one member shall reside in and represent each of the six Wards and one member representing the City as a whole. There is no requirement to fill unexpired portions of terms and no limits to the number of terms which may be served. Mr. Phillips is a representative of Ward 4 and requires Councilman Brown's recommendation. Mr. Phillips is eligible and wishes to be reappointed.

RECOMMENDATION:

Procedure for this Board requires appointment by the Mayor with confirmation by the City Council. This seat is for Councilman Brown's recommendation. Options are for Councilman Brown to recommend Mr. Phillips' reappointment or recommend a new Ward 4 representative who resides in Ward 4.

BACKUP DOCUMENTATION:

Current Listing & Authority - Traffic & Parking Commission

MOTION:**BROWN – Motion to REAPPOINT JOHN J. PHILLIPS – UNANIMOUS with WEEKLY not voting**

Clerk to notify

MINUTES:

There was no discussion.

(2:04)
4-1034

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-59 – Annexation No. ANX-4440 – Property location: On the north side of Regena Avenue, 170 feet east of Riley Street; Petitioned by: Mona Agamez; Acreage: 0.62 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the north side of Regena Avenue, 170 feet east of Riley Street. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (September 24, 2004) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 9/15/2004 City Council meeting pursuant to the 8/31/2004 Recommending Committee.

First Reading – 8/18/2004; First Publication – 9/4/2004

BACKUP DOCUMENTATION:

Bill No. 2004-59 and Location Map

MOTION:

MONCRIEF – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5725 – UNANIMOUS with WEEKLY not voting

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(2:04 – 2:05)

4-1057

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-60 – Ordinance Creating Special Improvement District No. 1505 - Sierra Oeste Neighborhood Streetlights. Sponsored by: Step Requirement

Fiscal Impact

☐

No Impact

Amount: \$72,000.00

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund/Special Assessments

PURPOSE/BACKGROUND:

The installation of streetlights. The project is located within the Sierra Oeste subdivision south of Lake Mead Boulevard between Jones Boulevard and Torrey Pines Drive.

RECOMMENDATION:

ADOPTION at 9/15/2004 City Council meeting pursuant to the 8/31/2004 Recommending Committee.

First Reading – 8/18/2004; First Publication – 9/4/2004

BACKUP DOCUMENTATION:

Bill No. 2004-60

MOTION:

MONCRIEF – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5726 – UNANIMOUS with WEEKLY not voting

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(2:05)

4-1074

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-61 – Ordinance authorizing the issuance by the City of Las Vegas, Nevada, of General Obligation (Limited Tax) Medium-Term Recreation Bonds (Centennial Hills Project), Series 2004C in the aggregate principal amount not to exceed \$20,000,000

Fiscal Impact

☐

No Impact

Amount: \$20,000,000

☒

Budget Funds Available

Dept./Division: Finance and Business Service

☐

Augmentation Required

Funding Source: General Obligation Bonds

PURPOSE/BACKGROUND:

Pursuant to NRS 268.672 through 268.740 and NRS 350.087 through 350.095, the City is authorized to issue medium-term obligations to finance recreational projects as defined in NRS 268.710. The City intends to use the proceeds of this bond issue to finance Centennial Hills Park.

RECOMMENDATION:

ADOPTION at 9/15/2004 City Council meeting pursuant to the 9/14/2004 Recommending Committee.

First Reading – 9/1/2004; First Publication – 9/4/2004

BACKUP DOCUMENTATION:

1. Bill No. 2004-61
2. Letter from State of Nevada Department of Taxation

MOTION:

MONCRIEF – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5727 – UNANIMOUS with WEEKLY not voting

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(2:05 – 2:06)

4-1098

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-62 – Makes adjustments to the types of zoning approval necessary for various land uses. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Planning staff and the Planning Commission have determined that a number of uses currently requiring a special use permit in specified zoning districts would more properly be allowable as conditional uses or as a matter of right. This bill will make the necessary adjustments to the provisions of the Zoning Code, which will reduce the number of special use permit applications required to be processed.

RECOMMENDATION:

ADOPTION at 10/6/2004 City Council meeting pursuant to the 9/14/2004 Recommending Committee.

First Reading – 9/1/2004; First Publication – 9/25/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

10/6/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-63 – Provides that Planning Commission action on most special use permits is final, unless appealed or requested for review by a member of the City Council, and modifies certain provisions regarding related hearings and appeals so as to conform to State law.
Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Special use permit applications currently require final action by the City Council. This bill is intended to reduce the special use permit “caseload” of the Council by providing that Planning Commission action on most applications is final action. Planning Commission decisions will continue to be appealable to the Council, and members of the Council may request review of Planning Commission decisions. The bill will also incorporate State law requirements concerning zoning-related hearings and appeals.

RECOMMENDATION:

ADOPTION at 10/6/2004 City Council meeting pursuant to the 9/14/2004 Recommending Committee.

First Reading – 9/1/2004; First Publication – 9/25/2004

BACKUP DOCUMENTATION:

Submitted after Final Agenda - Opposition letter from Charleston Neighborhood Preservation

MOTION:

None required.

MINUTES:

Recommendation noted.

10/6/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-64 – Modifies the standards for granting a variance application and modifies certain provisions regarding variance hearings and appeals so as to conform to State law.
Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will modify the standards for granting a variance application, and modify certain provisions regarding variance hearings and appeals so as to conform to State law.

RECOMMENDATION:

ADOPTION at 10/6/2004 City Council meeting pursuant to the 9/14/2004 Recommending Committee.

First Reading – 9/1/2004; First Publication – 9/25/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

10/6/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

NEW BILL:

Bill No. 2004-65 – Amends the Supplemental Document to the NFPA 1, Uniform Fire Code, 2003 Edition, regarding the approval of traffic management or calming devices. Proposed by: David L. Washington, Chief, Department of Fire and Rescue

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The version of the NFPA 1, Uniform Fire Code, 2003 Edition, that recently was adopted by the City contains language that can be read to imply that the sole authority to approve certain traffic management devices (such as speed humps) rests with the Department of Fire and Rescue. This bill will establish the Fire Code requirements pertaining to these devices and clarify that Fire Code requirements are not the only requirements pertaining to these devices.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-65

MOTION:**None required.****MINUTES:**

First Reading – Referred – COUNCILMEMBERS MONCRIEF and WOLFSON

10/5/2004 Recommending Committee

10/6/2004 Council Agenda

MAYOR GOODMAN announced that Item 99 (Bill No. 2004-67) would be submitted to a Special Recommending Committee set for 9/27/2004 at 3:00 p.m. in the Council Chambers.

(2:06 – 2:16)

4-1141

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

NEW BILL:

Bill No. 2004-66 – Establishes new solid waste and recycling regulations. Proposed by: Mark R. Vincent, Director of Finance and Business Services

Fiscal Impact☐**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The City's current solid waste code provisions were enacted more than fifty years ago and do not take into account many contemporary industry standards and practices as well as current state and federal regulatory provisions. Solid waste issues transcend the boundaries of the City and other local jurisdictions within the County metropolitan areas; each contracting with Republic Services, Inc. to perform solid waste collection and disposal services. Accordingly, this bill is modeled after recent changes made in the County code in order to achieve regulatory uniformity. This bill specifically designates the items included within the solid waste stream, hazardous waste stream, medical waste stream, and recyclable materials stream for regulatory purposes; restricts hours of solid waste collection in residential areas; and conditionally waives collection fees for absentee residents.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-66

MOTION:

REESE – Motion to bring forward and STRIKE Items 76 and 98 and Hold in ABEYANCE Items 77 and 80 to 10/6/2004 – UNANIMOUS

MINUTES:

There was no discussion.

(9:29 – 9:30)

1-755

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2004-67 – Adjusts the ward boundaries of the City. Proposed by: Bradford R. Jerbic, City Attorney

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The City Charter authorizes the City Council to adjust Council ward boundaries from time to time in order to address significant population imbalance among Council wards. This bill will adjust the ward boundaries in accordance with a redistricting proposal designed to restore population balance among Council wards.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

1. Bill No. 2004-67
2. Map of Proposed Wards
3. Table of Precinct Populations
4. Submitted at meeting: letters opposing redistricting Ward 1 addressed to the Mayor from Kristina Pickering, Steve Morris, John T. Moran, Jr., John A. Hunt, Esq., John F. O'Reilly, Esq., and William L. Coulthard

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS MONCRIEF and WOLFSON

9/27/2004 Special Recommending Committee

10/6/2004 Council Agenda

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004

New Bill

Item 99 – Bill No. 2004-67

MINUTES – Continued:

Under Item 97, MAYOR GOODMAN announced that Item 99 (Bill No. 2004-67) would be submitted to a Special Recommending Committee set for 9/27/2004 at 3:00 p.m. in the Council Chambers.

JOHN MORAN, JR., Ward 1 resident, stated that he represents many residents of Ward 1 that wish to remain in Ward 1. Many of those people not only reside in Ward 1, but also own businesses in Ward 1. He opined that the Council should allow an adequate forum for public comment. There are ways to accomplish redistricting so that people who voted for COUNCILMAN WOLFSON are not shuffled into another ward, without raping the integrity of Ward 1. MR. MORAN indicated that PETER THOMAS, a Ward 1 resident, is against introducing this bill and believes that it should be modified and reintroduced.

MAYOR GOODMAN submitted several letters, which are made a part of the final minutes, that he received from various Ward 1 residents with concerns.

LOIS TARKANIAN, 2905 Justice Lane, asked if this matter would be voted on at the 9/27/2004 meeting. MAYOR GOODMAN asserted that there would be an opportunity for public hearing at the Special Recommending Committee meeting of 9/27/2004, where the bill will be heard by the full Council and citizens could give their input. CITY ATTORNEY JERBIC explained that the full Council would consider this bill, make amendments, if necessary, and then forward it with a recommendation to the 10/20/2004 Council meeting, at which time the Council will take a final vote.

COUNCILMAN WOLFSON asked if providing input at the Special Recommending Committee was the proper process. MAYOR GOODMAN answered that the public can submit letters or make phone calls to their Council representative to express their concerns and input.

(2:06 – 2:16)

4-1141

THE MORNING SESSION RECESSED AT 2:16 P.M.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

Any items from the afternoon session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MOTION:

REESE – Motion to **STRIKE** Item 101 [410 South 7th Street], to Accept the **WITHDRAWAL WITHOUT PREJUDICE** of Item 103 [DIR-4797] and Item 145 [SUP-4689], to **TABLE** Item 167 [ZON-4216], Item 168 [VAC-4218], Item 169 [SDR-4220] and to **HOLD IN ABEYANCE** Item 118 [VAC-4071], Item 141 [SUP-4592], to 10/6/2004, Item 104 [DIR-5079] and 126 [VAC-4747] to 10/20/2004, Item 137 [SUP-2848], Item 138 [SUP-3394], Item 140 [SUP-4532], Item 146 [SUP-4690] and Item 147 [SUP-4693] to 12/15/2004 – **UNANIMOUS** with **GOODMAN** abstaining on Item 104 [DIR-5079] because it relates to the Scotch 80's subdivision where he resides, and any action could directly affect his property value and abstaining on Item 146 [SUP-4690] because **ATTORNEY JAY BROWN**, who represents the applicant, is a partner of his on a property known as the **UNR Outpatient Clinic on West Charleston Boulevard**

MINUTES:

COUNCILWOMAN MONCRIEF requested that Item 103 [DIR-4797], Item 142 [SUP-4593], Item 143 [SUP-4594] and Item 139 [SUP-4172] be taken off the abeyance request list and brought forward for discussion. It was then determined that a vote could be taken on Item 103 [DIR-4797] as it had been requested to be withdrawn without prejudice.

COUNCILMAN WEEKLY requested that Item 144 [SUP-4683] and Item 145 [SUP-4689] be taken off the abeyance request list and brought forward for discussion. It was determined a vote could be taken on Item 145 [SUP-4689] as it had been requested to be withdrawn without prejudice.

COUNCILMAN WOLFSON asked that Item 107 [GPA-4528], Item 108 [ZON-4529] and Item 109 [SDR-4752] be brought forward for discussion as the applicants had been waiting for a long time.

COUNCILMAN MACK disclosed that on Item 137 [SUP-2848] his company, Mack Consulting, does business with billboard companies, but it will not affect his vote. He asked that Item 118 [VAC-4071] be held in abeyance to the 10/6/2004 City Council meeting.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004

City Clerk

Any Items

MINUTES – Continued:

ATTORNEY CHRIS KAEMPFER indicated his applicant was ready to proceed with Item 126 [VAC-4747]. However, SENATOR BRYAN had contacted him to ask that the item be held in abeyance until the 10/20/04 City Council meeting, to which he agreed. MAYOR GOODMAN noted that he met with SENATOR BRYAN, who pointed out that due to the religious holiday, the abeyance would be agreeable to both parties.

LUCY STEWART appeared on behalf of Las Vegas Billboards and indicated that a letter was erroneously sent requesting Item 140 [SUP-4532] be withdrawn without prejudice and asked that the item be held in abeyance to December 15, 2004.

(2:48 – 3:01)

5-1

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Public hearing to consider the report of expenses to recover costs for the abatement of dangerous building at 410 South 7th Street. PROPERTY OWNER: JOHNNY KIM LARSEN EXEMPT TRUST – Ward 1 (Moncrief)

Fiscal Impact☐**No Impact****Amount:** \$2,395.00☒**Budget Funds Available****Dept./Division:** Neighborhood Services/Response☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired C & W Enterprises to board the structure remove all trash and debris and post "No Trespassing" signs.

RECOMMENDATION:

1. That the City Council approve the report of expenses in the amount of \$2,395.00 in order that the above charges be filed and recorded against the property constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

MOTION:

REESE – Motion to STRIKE Item 101 [410 South 7th Street], to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 103 [DIR-4797] and Item 145 [SUP-4689], to TABLE Item 167 [ZON-4216], Item 168 [VAC-4218], Item 169 [SDR-4220] and to

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 101 – 410 South 7th Street

MOTION – Continued:

HOLD IN ABEYANCE Item 118 [VAC-4071], Item 141 [SUP-4592], to 10/6/2004, Item 104 [DIR-5079] and 126 [VAC-4747] to 10/20/2004, Item 137 [SUP-2848], Item 138 [SUP-3394], Item 140 [SUP-4532], Item 146 [SUP-4690] and Item 147 [SUP-4693] to 12/15/2004 – **UNANIMOUS** with **GOODMAN** abstaining on Item 104 [DIR-5079] because it related to the Scotch 80's subdivision where he resides, and any action could directly affect his property value and abstaining on Item 146 [SUP-4690] because **ATTORNEY JAY BROWN**, who represents the applicant, is a partner of his on a property known as the **UNR Outpatient Clinic** on West Charleston Boulevard

MINUTES:

There was no discussion.

(2:48 – 3:01)

5-1

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

PLANNING & DEVELOPMENT DEPARTMENT PM SESSION INDEX:

CONSENT AGENDA

NO ITEMS

DISCUSSION/ACTION ITEMS

- WATER FEATURE EXEMPTION
- 102 **DIR-4831** - Applicant/Owner: Simon Chelsea LV Dev, LLC
- DIRECTORS BUSINESS ITEM
- 103 **ABEYANCE ITEM - DIR-4797** - Applicant: Orion Outdoor Media - Owner: Lapour Grand Central Limited Liability Company
- 104 **DIR-5079** - Applicant: Danny Piper, Scotch 80 HOA – Owners: Various
- RESCIND PREVIOUS ACTION - DIRECTORS BUSINESS - PUBLIC HEARING
- 105 **DIR-3934** - Applicant/Owner: Howard Hughes Corporation
- RECONSIDER - DIRECTORS BUSINESS - PUBLIC HEARING
- 106 **DIR-3934** - Applicant/Owner: Howard Hughes Corporation
- GENERAL PLAN AMENDMENT - PUBLIC HEARING
- 107 **GPA-4528** - Applicant: Silver Sky Assisted Living, Limited Partnership – Owner: City of Las Vegas
- REZONING RELATED TO GPA-4528 - PUBLIC HEARING
- 108 **ZON-4529** - Applicant: Silver Sky Assisted Living, Limited Partnership – Owner: City of Las Vegas
- SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4528 AND ZON-4529 - PUBLIC HEARING
- 109 **SDR-4752** - Applicant: Silver Sky Assisted Living, Limited Partnership – Owner: City of Las Vegas
- SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING
- 110 **SDR-4604** - Applicant/Owner: 600 Casino Center, Limited Liability Company
- 111 **SDR-4657** - Applicant: Indigo Architecture, Inc. – Owner: Ishimaru, Limited Liability Company and Desert Mountain Enterprises, Inc.
- 112 **SDR-4726** - Applicant: PHD Properties, Inc. – Owner: Centennial Court, Limited Liability Company
- 113 **SDR-4749** - Applicant: City of Las Vegas – Owner: United States of America and City of Las Vegas
- 114 **SDR-4750** - Applicant: Arnold Ross Stalk – Owner: J & D Financial Services, Inc.

City of Las Vegas

PLANNING & DEVELOPMENT - Page Two

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City Council Meeting of September 15, 2004

MAJOR MODIFICATION - PUBLIC HEARING

- 115 **ABEYANCE ITEM - MOD-4615** - Applicant: Cooper Custom Homes – Owner: MB Holdings, Limited Liability Company

REZONING RELATED TO MOD-4615 - PUBLIC HEARING

- 116 **ABEYANCE ITEM - ZON-4616** - Applicant: Cooper Custom Homes – Owner: MB Holdings, Limited Liability Company

SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-4615 AND ZON-4616 - PUBLIC HEARING

- 117 **ABEYANCE ITEM - SDR-4617** - Applicant: Cooper Custom Homes – Owner: MB Holdings, Limited Liability Company

VACATION - PUBLIC HEARING

- 118 **VAC-4071** - Applicant: WRG Design, Inc. – Owner: Palm Mortuary, Inc.
119 **VAC-4700** - Applicant: Investors Realty Group – Owner: Campbell 2.5, Limited Liability Company and Carl Unger, et al
120 **VAC-4707** - Applicant/Owner: L M Cliff's Edge, Limited Liability Company
121 **VAC-4710** - Applicant/Owner: Back AAG, Limited Liability Company
122 **VAC-4711** - Applicant/Owner: Back AAG, Limited Liability Company, et al
123 **VAC-4722** - Applicant/Owner: Pulte Homes
124 **VAC-4737** - Applicant: City of Las Vegas – Owner: Grand Canyon Partners, Limited Liability Company
125 **VAC-4745** - Applicant/Owner: Warmington Homes Nevada
126 **VAC-4747** - Applicant/Owner: M T C 118, Inc.

VARIANCE - PUBLIC HEARING

- 127 **VAR-4629** - Applicant/Owner: Day Star Venture, Limited Liability Company
128 **VAR-4701** - Applicant: Terrible Herbst, Inc. – Owner: Rancho Circle Shopping Center, Limited Liability Company
129 **VAR-4720** - Applicant: Albertson's, Inc. – Owner: Flamingo SEC Partners, Limited Liability Company

SPECIAL USE PERMIT RELATED TO VAR-4720 - PUBLIC HEARING

- 130 **SUP-4719** - Applicant: Albertson's, Inc. – Owner: Flamingo SEC Partners, Limited Liability Company

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4720 AND SUP-4719 - PUBLIC HEARING

- 131 **SDR-4718** - Applicant: Albertson's, Inc. – Owner: Flamingo SEC Partners, Limited Liability Company

VARIANCE - PUBLIC HEARING

- 132 **VAR-4733** - Applicant: Lamar Advertising Company – Owner: D 2801 Westwood, Inc.

City of Las Vegas

PLANNING & DEVELOPMENT - Page Three

INDEX

City Council Meeting of September 15, 2004

REQUIRED FIVE YEAR REVIEW - PUBLIC HEARING

- 133 **RQR-4264** - Applicant: Sensation Spas of Nevada – Owner: Howard Johnson

SPECIAL USE PERMIT - PUBLIC HEARING

- 134 **SUP-4541** - Applicant/Owner: Caminar – Las Vegas
135 **SUP-4688** - Applicant: Shippy, Limited Liability Company – Owner: Meyer & Sylvia Gold Trust

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4688 - PUBLIC HEARING

- 136 **SDR-4687** - Applicant: Shippy, Limited Liability Company – Owner: Meyer & Sylvia Gold Trust

SPECIAL USE PERMIT - PUBLIC HEARING

- 137 **ABEYANCE ITEM - SUP-2848** - Reagan National Advertising on behalf of C O G III, Limited
138 **ABEYANCE ITEM - SUP-3394** Las Vegas Billboards on behalf of West Sahara Associated, Limited Partnership
139 **ABEYANCE ITEM - SUP-4172** - Applicant: Las Vegas Billboards – Owner: Shahram and Tawnya Sheikhan
140 **ABEYANCE ITEM - SUP-4532** - Applicant: Las Vegas Billboards – Owner: Sahara Mohawk, Limited Liability Company
141 **ABEYANCE ITEM - SUP-4592** - Applicant: Mountain View Estates – Owner: John Herda
142 **ABEYANCE ITEM - SUP-4593** - Applicant: Mountain View Estates – Owner: S & K Family Trust
143 **ABEYANCE ITEM - SUP-4594** - Applicant: Mountain View Estates – Owner: Saitta Family Trust
144 **SUP-4683** - Applicant: Reagan National Advertising of Nevada – Owner: Aner Iglesias Trust
145 **SUP-4689** - Applicant: Las Vegas Billboards – Owner: Jerr Appelkans and Debra Tennariello
146 **SUP-4690** - Applicant: Las Vegas Billboards – Owner: Richard E. Wilkie Revocable Trust
147 **SUP-4693** - Applicant: Orion Outdoor Media – Owner Thomas J. Obata
148 **SUP-4739** - Applicant/Owner: Third Street Promenade, Limited Liability Company
149 **SUP-4741** - Applicant/Owner: Third Street Promenade, Limited Liability Company
150 **SUP-4742** - Applicant/Owner: Third Street Promenade, Limited Liability Company
151 **SUP-4743** - Applicant/Owner: Third Street Promenade, Limited Liability Company
152 **SUP-4744** - Applicant/Owner: Hubert R. Powell and Renee C. Ramberg
153 **SUP-4919** - Applicant: The Massage Group – Owner: City of Las Vegas Redevelopment and Fremont Street Experience, LLC

City of Las Vegas

PLANNING & DEVELOPMENT - Page Four

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City Council Meeting of September 15, 2004

- REZONING - PUBLIC HEARING
- 154 **ABEYANCE ITEM - ZON-4368** - Applicant: Carina Homes – Owners: Ronald and Carolyn Mich'l
- VACATION RELATED TO ZON-4368 - PUBLIC HEARING
- 155 **ABEYANCE ITEM - VAC-4420** - Applicant: Carina Homes – Owners: Ronald and Carolyn Mich'l
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4368 AND VAC-4420 - PUBLIC HEARING
- 156 **ABEYANCE ITEM - SDR-4370** - Applicant: Carina Homes – Owners: Ronald and Carolyn Mich'l
- REZONING - PUBLIC HEARING
- 157 **ZON-4208** - Applicant/Owner: Pardee Homes of Nevada
- VARIANCE RELATED TO ZON-4208 - PUBLIC HEARING
- 158 **VAR-4209** - Applicant/Owner: Pardee Homes of Nevada
- SPECIAL USE PERMIT RELATED TO ZON-4208 AND VAR-4209 - PUBLIC HEARING
- 159 **SUP-4210** - Applicant/Owner: Pardee Homes of Nevada
- VACATION RELATED TO ZON-4208, VAR-4209 AND SUP-4210 - PUBLIC HEARING
- 160 **VAC-4212** - Applicant/Owner: Pardee Homes of Nevada
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4208, VAR-4209, SUP-4210 AND VAC-4212 - PUBLIC HEARING
- 161 **SDR-4214** - Applicant/Owner: Pardee Homes of Nevada
- REZONING - PUBLIC HEARING
- 162 **ZON-4699** - Applicant: Investors Realty Group – Owners: Weiland Trust B and San Gregario, Limited Liability Company
- 163 **ZON-4746** - Applicant/Owner: Jacob J. Kiefer
- 164 **ZON-4755** - Applicant: Richmond American Homes of Nevada, Inc. – Owner: Can Can II (KB) Targets, Limited Partnership and Ronald Mich'l and Carolyn Mich'l

City of Las Vegas

PLANNING & DEVELOPMENT - Page Five

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City Council Meeting of September 15, 2004

- WAIVER RELATED TO ZON-4755 - PUBLIC HEARING
- 165 **WVR-4774** - Applicant: Richmond American Homes of Nevada, Inc. – Owner: Can Can II (KB) Targets, Limited Partnership and Ronald Mich'l and Carolyn Mich'l
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4755 AND WVR-4774 - PUBLIC HEARING
- 166 **SDR-4756** - Applicant: Richmond American Homes of Nevada, Inc. – Owner: Can Can II (KB) Targets, Limited Partnership and Ronald Mich'l and Carolyn Mich'l
- REZONING - PUBLIC HEARING
- 167 **ZON-4216** - Applicant/Owner: Pardee Homes of Nevada
- VACATION RELATED TO ZON-4216 - PUBLIC HEARING
- 168 **VAC-4218** - Applicant/Owner: Pardee Homes of Nevada
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4216 AND VAC-4218 - PUBLIC HEARING
- 169 **SDR-4220** - Applicant/Owner: Pardee Homes of Nevada
- GENERAL PLAN AMENDMENT - PUBLIC HEARING
- 170 **ABEYANCE ITEM - GPA-4542** - Applicant: Joel Armstrong – Owner: Clark County
- REZONING RELATED TO GPA-4542 - PUBLIC HEARING
- 171 **ABEYANCE ITEM - ZON-4543** - Applicant: Joel Armstrong – Owner: Clark County
- VARIANCE RELATED TO GPA-4542 AND ZON-4543 - PUBLIC HEARING
- 172 **ABEYANCE ITEM - VAR-4547** - Applicant: Joel Armstrong – Owner: Clark County
- 173 **ABEYANCE ITEM - VAR-4572** - Applicant: Joel Armstrong – Owner: Clark County
- SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4542, VAR-4547, ZON-4543 AND VAR-4572 - PUBLIC HEARING
- 174 **ABEYANCE ITEM - SDR-4545** - Applicant: Joel Armstrong – Owner: Clark County
- GENERAL PLAN AMENDMENT - PUBLIC HEARING
- 175 **GPA-4535** - Applicant: Blue Heron Properties – Owner: W. M. Land Development
- VARIANCE RELATED TO GPA-4535 - PUBLIC HEARING
- 176 **VAR-4536** - Applicant: Blue Heron Properties – Owner: W. M. Land Development

City of Las Vegas

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City Council Meeting of September 15, 2004

REZONING RELATED TO GPA-4535 AND VAR-4536 - PUBLIC HEARING
177 ZON-4537 - Applicant: Blue Heron Properties – Owner: W. M. Land Development

WAIVER RELATED TO GPA-4535, VAR-4536 AND ZON-4537 - PUBLIC HEARING
178 WVR-4748 - Applicant: Blue Heron Properties – Owner: W. M. Land Development

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4535, VAR-4536, ZON-4537 AND WVR-4748 - PUBLIC HEARING
179 SDR-4539 - Applicant: Blue Heron Properties – Owner: W. M. Land Development

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

WATER FEATURE EXEMPTION - DIR-4831 - APPLICANT/OWNER: SIMON CHELSEA LV DEV, LLC - Request for a Water Feature Exemption to allow the operation of four water features for a commercial development located at 777 South Grand Central Parkway. (APN 139-33-710-001), Ward 5 (Weekly). Staff recommends APPROVAL (**NOTE: Address was corrected to 875 South Grand Central Parkway**)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions– UNANIMOUS

MINUTES:

PETER SLADE, Operation Director, Las Vegas Premium Outlets, 875 South Grand Central Parkway, Suite 1690, asked the City Council to approve the request for the water feature. He also indicated that the address in the application should reflect 875 South Grand Central Parkway not 777 South Grand Central Parkway. MAYOR GOODMAN verified with DEPUTY CITY ATTORNEY BRYAN SCOTT that this minor amendment does not affect the application, as the map reflects the appropriate property.

(3:37 – 3:39)

5-1676

CONDITIONS:

1. The applicant shall pay a fee to the City through the Planning and Development Department of \$7,970 to operate the water features through December 31, 2004. For subsequent years in which Drought Watch or Drought Alert is declared, an annual fee of \$250.00 shall be paid.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 102 – DIR-4831

CONDITIONS:

2. This exemption does not apply in years which Drought Emergency is declared.
3. The applicant shall post a sign at the water features to indicate they have received an exemption to allow its operation.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - APPEAL OF DIRECTOR'S DECISION - **DIR-4797** -
APPLICANT: ORION OUTDOOR MEDIA - OWNER: LAPOUR GRAND CENTRAL,
LIMITED LIABILITY COMPANY - Appeal of Director's decision per Title 19.00.070.F to
deny the application of a Special Use Permit for a proposed Off-Premise Advertising (Billboard)
Sign at 211 West Charleston Boulevard (APN 162-04-504-009) for failure to comply with Title
19.14.100, Ward 1 (Moncrief). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Submitted after final agenda – Withdrawal without Prejudice request by Singer & Brown

MOTION:

REESE – Motion to **STRIKE** Item 101 [410 South 7th Street], to Accept the **WITHDRAWAL WITHOUT PREJUDICE** of Item 103 [DIR-4797] and Item 145 [SUP-4689], to **TABLE** Item 167 [ZON-4216], Item 168 [VAC-4218], Item 169 [SDR-4220] and to **HOLD IN ABEYANCE** Item 118 [VAC-4071], Item 141 [SUP-4592], to 10/6/2004, Item 104 [DIR-5079] and 126 [VAC-4747] to 10/20/2004, Item 137 [SUP-2848], Item 138 [SUP-3394], Item 140 [SUP-4532], Item 146 [SUP-4690] and Item 147 [SUP-4693] to 12/15/2004 – **UNANIMOUS** with **GOODMAN** abstaining on Item 104 [DIR-5079] because it related to the Scotch 80's subdivision where he resides, and any action could directly affect his property value and abstaining on Item 146 [SUP-4690] because **ATTORNEY JAY BROWN**, who represents the applicant, is a partner of his on a property known as the **UNR Outpatient Clinic** on West Charleston Boulevard

MINUTES:

COUNCILWOMAN MONCRIEF requested that Item 103 [DIR-4797], Item 142 [SUP-4593], Item 143 [SUP-4594] and Item 139 [SUP-4172] be taken off the abeyance request list and brought forward for discussion. It was then determined that a vote could be taken on Item 103 [DIR-4797] as it had been requested to be withdrawn without prejudice.

(2:48 – 3:01)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

DIRECTOR'S BUSINESS - DIR-5079 - APPLICANT/OWNER: SCOTCH EIGHTY HOMEOWNERS ASSOCIATION - Appeal of Director's decision per Title 19.00.070.F to deny the application of a Petition to Vacate public streets located within the Scotch Eighty Subdivision for failure to comply with Title 19.04.040, Ward 1 (Moncrief). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Abeyance letter from Attorney Richard McKnight
5. Submitted after final agenda - Protest letter from Charleston Neighborhood Preservation

MOTION:

REESE – Motion to STRIKE Item 101 [410 South 7th Street], to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 103 [DIR-4797] and Item 145 [SUP-4689], to TABLE Item 167 [ZON-4216], Item 168 [VAC-4218], Item 169 [SDR-4220] and to HOLD IN ABEYANCE Item 118 [VAC-4071], Item 141 [SUP-4592], to 10/6/2004, Item 104 [DIR-5079] and 126 [VAC-4747] to 10/20/2004, Item 137 [SUP-2848], Item 138 [SUP-3394], Item 140 [SUP-4532], Item 146 [SUP-4690] and Item 147 [SUP-4693] to 12/15/2004 – UNANIMOUS with GOODMAN abstaining on Item 104 [DIR-5079] because it related to the Scotch 80's subdivision where he resides, and any action could directly affect his property value and abstaining on Item 146 [SUP-4690] because ATTORNEY JAY BROWN, who represents the applicant, is a partner of his on a property known as the UNR Outpatient Clinic on West Charleston Boulevard

MINUTES:

There was no discussion.

(2:48 – 3:01)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RESCIND PREVIOUS ACTION - DIRECTOR'S BUSINESS - PUBLIC HEARING - **DIR-3934 - APPLICANT/OWNER: HOWARD HUGHES CORPORATION** - Discussion and possible action on A REVISED DEVELOPMENT STANDARDS MANUAL FOR SUMMERLIN, Ward 2 and 4 (Wolfson and Brown). Staff has NO RECOMMENDATION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff has NO RECOMMENDATION.

BACKUP DOCUMENTATION:

1. Location Map – Not Applicable
2. Conditions For This Application – Not Applicable
3. Staff Report

MOTION:

BROWN – APPROVED rescission – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 105 [DIR-3934-Rescission] and Item 106 [DIR-3934].

ROBERT GENZER, Director, Planning and Development Department, explained that after the meeting two months ago, when the City Council considered this request, staff discovered that the conditions recommended by the Planning Commission were not brought forward in their entirety to the City Council. As a result, these items have been placed on the agenda first to rescind the previous action and then to reconsider the item in its entirety.

GERALD ROBBINS, Howard Hughes Corporation, 10000 West Charleston Boulevard, Suite #200, concurred with all conditions.

MAYOR GOODMAN declared the Public Hearing closed on Item 105 [DIR-3934-Rescission] and Item 106 [DIR-3934].

(3:39 – 3:41)

5-1739

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECONSIDER - DIRECTOR'S BUSINESS - PUBLIC HEARING - **DIR-3934** -
APPLICANT/OWNER: HOWARD HUGHES CORPORATION - Discussion and possible
action on A REVISED DEVELOPMENT STANDARDS MANUAL FOR SUMMERLIN, Ward
2 and 4 (Wolfson and Brown). The Planning Commission (6-0 vote) and staff recommend
APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map– Not Applicable
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 105 [DIR-3934-Rescission] for all related discussion.

(3:11 – 3:12)

5-1033

CONDITIONS:

Planning and Development

1. The attached Summerlin Development Standards Manual, dated February 10, 2004, shall replace all previously adopted versions.
2. Subsection 8(c) of Section 2 shall be amended to state that casinos and appurtenant structures shall not exceed 75 feet in height (nor shall they exceed 5 stories), nor shall the hotel appurtenant to the casino exceed 750 rooms.
3. The General Provisions of Section 4 shall be amended to permit community banners with the Summerlin logo to be mounted on street poles for the purpose of advertising community events and seasonal messages.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 106 – DIR-3934

CONDITIONS – Continued:

Public Works

4. Revise the “Revised Development Standards Manual for Summerlin” to provide a minimum distance of 18 feet of driveway length between the back of sidewalk (or curb, if no sidewalk is proposed) and the face of the garage, to allow vehicles to park completely outside the vehicular or pedestrian travel corridor or provide a maximum distance of 5 feet in length to prevent a vehicle from parking in the driveway. A setback less than 18 feet may be provided to the garage for side-loaded garages if 18 feet of full width driveway is provided beyond the back of sidewalk (or curb, if no sidewalk is proposed).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-4528** - **APPLICANT: SILVER SKY ASSISTED LIVING, LIMITED PARTNERSHIP** - **OWNER: CITY OF LAS VEGAS** - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: MLA (Medium-Low Attached Density Residential) TO: M (Medium Density Residential) on 10.5 acres adjacent to the northeast corner of Roland Wiley Road and Silver Sky Drive (APN 138-28-401-014), Ward 2 (Wolfson). The Planning Commission (4-0-1 vote on a motion for approval) failed to obtain a super-majority, therefore the recommendation is for DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

The Planning Commission (4-0-1 vote on a motion for approval) failed to obtain a super-majority, therefore the recommendation is for DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Protest letter from Charleston Neighborhood Preservation

MOTION:

WOLFSON – APPROVED – UNANIMOUS with MACK not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 107 [GPA-4528], Item 108 [ZON-4529] and Item 109 [SDR-4752].

Under Item 100, COUNCILMAN WOLFSON asked that Item 107 [GPA-4528], Item 108 [ZON-4529] and Item 109 [SDR-4752] be brought forward for discussion as the applicants had been waiting for a long time.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 107 – GPA-4528

MINUTES – Continued:

ATTORNEY CHRIS KAEMPFER, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and stated the City of Las Vegas is the owner of the property. He thanked Neighborhood Services staff for all their hard work in making this project a possibility. The 10-acre parcel is surrounded by the Summerlin Parkway to the north and condominium developments to the east and to the west. The General Plan Amendment, zone change and site plan will allow for an assisted living facility for seniors 55 years and older, who need assistance with daily living activities due to some physical limitation. It is not a nursing home or a medical facility.

ATTORNEY KAEMPFER added that the site plan consists of three phases; phase one includes 90 units, phases two and three approximately 80 units, for an approximate total of 170 senior units. All 10 acres will be used for senior living, and a substantial amount of open space and recreational amenities will be provided. The setbacks have been maximized on all sides to limit any impact on surrounding neighbors. Access will be provided through two streets off Silver Sky Drive. This project will not impact schools, noise, crime or traffic. This site when fully built will only generate over 450 trips daily, compared to 800 trips that might be generated by a 12-unit multi-family development. The facility will provide on site shuttle service to allow seniors access to shopping, movies, doctors visits and other activities. Since this is not a medical facility, they do not require a full-time registered nurse, but staff consists of 10 to 15 people during the day and a physician and nurse on immediate call at all times. This project is much needed and the site chosen is appropriate for this use. The applicant has worked and will continue to work with adjacent neighbors with regard to providing appropriate landscape buffers.

ATTORNEY KAEMPFER explained that the GPA was forwarded as a denial due to not having the super majority vote required for GPAs, as five members are needed for it to pass. All the Commissioners present voted yes.

ASSEMBLYWOMAN BARBARA BUCKLEY, Assembly Representative for District 8 and Assembly Majority Leader in the Nevada Legislature, stated the community is facing a crisis with regard to the booming senior population. There are many beautiful assisted living facilities, but they are unaffordable. Most seniors rely only on Social Security and cannot afford them. Another option for seniors would be nursing homes or other facilities that do not offer the quality care and affordability. Even though there are some non-profit housing resources, such as HOME Funds, CDBG, and Housing Tax Credits, there has been a disconnect between the non-profit housing resources and the service money that help seniors remain in the community instead of having to go to nursing homes. Therefore, the Legislature decided to actually build a facility, instead of conducting a study. During this process, barriers would be identified and policy changes would be introduced in the Legislature to make this facility a model for other projects.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 107 – GPA-4428

MINUTES – Continued:

ASSEMBLYWOMAN BUCKLEY explained the journey began three years ago when SENATOR HARRY REID agreed to introduce a Congressional Act to obtain a free piece of BLM land. Harrah's Entertainment was the second partner, who gave a significant amount of money towards the project, and was joined by the City of Las Vegas, who dedicated one million dollars of HOME funds to make the project possible. The fourth partner was the State of Nevada, who changed the tax credit allocation process to give non-profit affordable assisted living a priority, as well as dedicating \$800,000 from the Housing Trust Fund. Other community partners include CARLA SLOAN, Director of AARP, CLAUDIA COLLINS, UNR Cooperative Extension, Fannie Mae and the seniors. Existing assisted facilities within the City were visited, as well as touring facilities in California. Hopefully this process will bring about changes at the Legislative level, such as the Housing Tax Credit Advisors, who believed assisted living was too risky. MARY LIVERATTI, Department of Human Resources, State of Nevada, was able to pledge that the State of Nevada Tax Dollars would be a backstop.

She thanked the City Council for being their partner, and DEPUTY CITY MANAGER BETSY FRETWELL, ORLANDO SANCHEZ, Director, Neighborhood Services, SUE PRESCOTT and FAYE JOHNSON, Neighborhood Services, for their support.

BOB FIEBERMAN, Nevada Hand, 295 Warm Springs Road, Henderson, and MS. PRESCOTT explained for MAYOR GOODMAN that the facility will have 84 one-bedroom units and six two-bedroom units. The rents range from \$500 to \$600 a month. MAYOR GOODMAN mentioned that the one complaint he heard from his mom, who stayed at Seville Terrace, is the fear they would not be able to afford the facility. He encouraged staff to address this issue so that the seniors feel comfortable about its affordability. MR. FIEBERMAN added that the facility would have a commercial kitchen where all meals will be prepared and served. The intent is not to have the seniors cook in the units.

MR. FIBERMAN reiterated that the units are one bedrooms and not studios. COUNCILMAN REESE commented that his mother's concern is about the food prepared at the facility where she resided. He asked for assurance that food prepared at assisted living facilities will be edible. MR. FIBERMAN pointed out that he visited a facility in Orange County, California, where a food service company called Morrison is providing the food. He ate lunch there and found the food to be very good.

ASSEMBLYWOMAN BUCKLEY noted that the difference between the proposed facility and other assisted living facilities is that this facility will be non-profit. The goal is to provide quality care at affordable rates. If more money can be acquired through housing funds the rents will be lower. The partnership with BLM, the City of Las Vegas, the State and Harrah's guarantees that the rent rates will not increase.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 107 – GPA-4428

MINUTES – Continued:

JULIE MURRAY, Harrah's Entertainment, was pleased to work with City staff on the proposed project. Harrah's made a large contribution because the focus was on seniors and the importance of doing something that would affect change in the community. Once the project is developed, Harrah's plans to bring volunteers to read to and visit the seniors, as well as bring chefs who will prepare food monthly. In addition, Harrah's plans to duplicate it in other markets and use this facility as a national model project for ways to improve the lives of seniors.

BOB HERBERT, Regional Director for SENATOR REID, stated that the Senator was instrumental in working through the United States Congress to facilitate this project. On the Senator's behalf, he acknowledged the leadership and the hard work of ASSEMBLYWOMAN BUCKLEY.

CARLA SLOAN, State Director for AARP, thanked the Mayor, COUNCILMAN WOLFSON and staff for their support and urged the entire Council's support. She assured that this development is being designed to address the quality of life and homelike environment of senior citizens. The design is also sensitive to neighborhood concerns, and once the facility opens, the City Council will be proud of their vote.

COUNCILMAN WOLFSON thanked ASSEMBLYWOMAN BUCKLEY, ATTORNEY KAEMPER and everyone involved with this project for all the hard work. He noted that the facility would be affordable and serve as a model project because of its affordability. He verified with MARGO WHEELER, Deputy Director, Planning and Development Department, that the action taken today is for phase one only. The remaining two phases will have some senior living aspect. He asked if that could be made into a condition.

MS. WHEELER replied that a proposed condition of approval would be added to the zoning to address that issue. COUNCILMAN WOLFSON felt comfortable that the residents' concerns have been incorporated into what is being approved. MS. WHEELER pointed out that an amendment would also be made on a condition on the site plan.

Regarding Item 108 [ZON-4529], MS. WHEELER read into the record an added condition stating that all phases shall be occupied by persons 55 or older as allowed by State and Federal Law. For Item 109 [SDR-4752], she added a sentence to Condition 7 that on the west property line planters shall be two staggered rows of 24-inch box Mondel Pine trees.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 107 – GPA-4428

MINUTES – Continued:

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 107 [GPA-4528], Item 108 [ZON-4529] and Item 109 [SDR-4752].

NOTE: All discussion for Item 107 [GPA-4528], Item 108 [ZON-4529] and Item 109 [SDR-4752] was held under Item 107 [GPA-4528].

(3:10 – 3:37)

5-660

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-4528 - PUBLIC HEARING - **ZON-4529** - **APPLICANT: SILVER SKY ASSISTED LIVING, LIMITED PARTNERSHIP** - **OWNER: CITY OF LAS VEGAS** - Request for a Rezoning FROM: U (Undeveloped) [MLA (Medium-Low Attached Residential) General Plan Designation] TO: R-PD17 (Residential Planned Development - 17 Units Per Acre) on 5.56 acres adjacent to the northeast corner of Roland Wiley Road and Silver Sky Drive (APN 138-28-401-014), Ward 2 (Wolfson). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/12/2004 Planning Commission meeting Item 28

MOTION:

WOLFSON – APPROVED subject to conditions and the added condition as read for the record as follows:

- *All phases shall be occupied by persons 55 or older as allowed by State and Federal Law.*

– **UNANIMOUS with MACK not voting**

MINUTES:

NOTE: See Item 107 [GPA-4529] for all discussion.

(3:11 – 3:12)

5-1033

CONDITIONS:

Planning and Development

1. This Rezoning shall apply to the westerly 5.56 acres of the site. Subdivision map shall be approved and recorded to create the separate parcels.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 108 – ZON-4529

CONDITIONS – Continued:

2. General Plan Amendment (GPA-4528) to M (Medium Density Residential) land use designation and Site Development Plan Review (SDR-4752) applications approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
3. A Resolution of Intent with a two-year time limit.

Public Works

4. Dedicate 30 feet of right-of-way adjacent to this site for Silver Sky Drive prior to the issuance of any permits.
5. Construct half-street improvements including appropriate overpaving on Silver Sky Drive adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

5. AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4528 AND ZON-4529 - PUBLIC HEARING - **SDR-4752 - APPLICANT: SILVER SKY ASSISTED LIVING, LIMITED PARTNERSHIP - OWNER: CITY OF LAS VEGAS** - Request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 90-UNIT, 78,649 SQUARE-FOOT ASSISTED LIVING DEVELOPMENT on 5.56 acres adjacent to the northeast corner of Silver Sky Drive and Roland Wiley Road (APN 138-28-401-014), U (Undeveloped) Zone [MLA (Medium-Low Attached Density Residential) General Plan Designation] [PROPOSED: R-PD17 (Residential Planned Development - 17 Units Per Acre)], Ward 2 (Wolfson). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/12/2004 Planning Commission meeting Item 29

MOTION:

WOLFSON – APPROVED subject to conditions as read for the record and amended as follows:

7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters. *The west property line planters shall be two staggered rows of 24-inch box Mondel Pine Trees.*

– UNANIMOUS with MACK not voting

MINUTES:

NOTE: See Item 107 [GPA-4529] for all discussion.

(3:11 – 3:12)

5-1033

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 109 – SDR-4752

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall apply to the westerly 5.56 acres of the site.
2. A General Plan Amendment (GPA-4528) to M (Medium Density Residential) land use designation Rezoning [ZON-4529] to an R-PD17 (Residential Planned Development - 17 Units Per Acre) Zoning District approved by the City Council.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein. The applicant shall be required to schedule a post-approval conference with the Department of Planning and Development and Public Works should the engineering studies cause changes to this approved site plan and building elevations.
5. The site plan shall be revised and approved by Planning and Development Department staff prior to the time application is made for a tentative map, to reflect the type of trees and shrubs to be planted on the site.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
8. The elevations shall be revised and approved by Planning and Development Department staff prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation.
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 109 – SDR-4752

CONDITIONS – Continued:

10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
15. All City Code requirements and design standards of all City departments must be satisfied.
16. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
17. All development shall be in conformance with the site plan and building elevations, date stamped 06/29/04, except as amended by conditions herein.
18. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

Public Works

19. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 109 – SDR-4752

CONDITIONS:

20. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
21. Site development to comply with all applicable conditions of approval for ZON-4529 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4604 - APPLICANT/OWNER: 600 CASINO CENTER, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and WAIVERS from the Downtown Centennial Plan parking lot screening requirements, parking lot landscaping requirements, and Title 19 perimeter wall and buffer requirements, FOR A PROPOSED PARKING LOT on 0.72 acres adjacent to the southwest corner of Bonneville Avenue and Casino Center Boulevard (APN 139-34-311-043 through 047), C-2 (General Commercial) and R-4 (High Density Residential) Zones under Resolution of Intent to C-2 (General Commercial), Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF – APPROVED subject to conditions and deleting Condition 5 – UNANIMOUS with GOODMAN abstaining because MR. KEACH, MR. SPILOTRO and MR. CHESNOFF, who own the property, are personal friends and partners in other business ventures

MINUTES:

MAYOR GOODMAN declared the Public Hearing open and disclosed his abstention.

ATTORNEY MARTY KEACH, 520 South 4th Street, appeared together with JOHN SPILOTRO, and stated that ATTORNEY DAVID CHESNOFF could not be present as he was called to New York to represent MARTHA STEWART. ATTORNEY KEACH indicated that the Planning Commission approved this matter. He indicated that the condition referring to a wall would have to be built according to the Downtown Centennial Standards, but they are not required to put in a new wall at this time.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 110 – SDR-4604

MINUTES – Continued:

ROBERT GENZER, Director, Planning and Development Department, confirmed that to be the case and upon discussing the issue with staff, that Condition 5 should be deleted so as not to leave it open to interpretation. The applicant understands that at such time as they actually fully develop the site, if a wall is required, the condition would be imposed. ATTORNEY KEACH concurred with MR. GENZER'S comments, as well as with all conditions and the deletion of Condition 5.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(3:41 – 3:44)

5-1828

CONDITIONS:

Planning and Development

1. The landscape treatment show in the attached Site Development Plan Review shall be implemented within six months of the approval date by the City Council.
2. This Site Development Plan Review shall be reviewed in five years by the Planning Commission and City Council. At that time, the full Centennial Plan improvements shall be required.
3. All development shall be in conformance with the site plan and building elevations, date stamped 8/09/04, except as amended by conditions herein.
4. Five-foot deep landscape buffers shall be provided at the perimeter of the property adjacent to Casino Center Boulevard and Bonneville Avenue. A decorative 42" high parking lot screen fence shall be installed along the Casino Center Boulevard and Bonneville Avenue frontages in accordance with Subsection DS3.1.g of the Downtown Centennial Plan. The screen fence shall conform to the design shown in Graphic 5 of the Downtown Centennial Plan; exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272. Landscaping and ground cover shall be provided in the perimeter buffer areas in accordance with Title 19.12.
5. Any new decorative block wall, with at least 20 percent contrasting materials, shall be installed along the interior property lines in accordance with Title 19.12. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 110 – SDR-4604

CONDITIONS – Continued:

6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Turf shall be utilized for no more than 12.5% of the total landscape area. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
7. Any streetscape improvements to the public right-of-way along Bonneville Avenue shall be coordinated with the Public Works Department for conformance to the development plan for the Bonneville Clark Couplet construction project.
8. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.
9. Utilities and power service lines in alleys shall be located underground

Public Works

10. Dedicate a 10 foot radius and also grant a chord easement on the southwest corner of Bonneville Avenue and Casino Center Boulevard prior to the issuance of any permits. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.
11. Coordinate with the City Engineer to determine appropriate improvements for the Bonneville Clark Couplet. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development.
12. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
13. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
14. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing drainage patterns for this site prior to the issuance of grading permits. Provide and improve all drainageways as recommended.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 110 – SDR-4604

CONDITIONS – Continued:

15. Landscape and maintain all unimproved right-of-way on Bonneville Avenue and Casino Center Boulevard adjacent to this site.
16. Submit an Encroachment Agreement for all private improvements located in the Bonneville Avenue and Casino Center Boulevard public right-of-way adjacent to this site prior to occupancy of this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **SDR-4657** - **APPLICANT: INDIGO ARCHITECTURE, INC. - OWNER: ISHIMARU, LIMITED LIABILITY COMPANY AND DESERT MOUNTAIN ENTERPRISES, INC.** - Request for a Site Development Plan Review and a WAIVER from foundation landscaping requirements FOR A PROPOSED 8,400 SQUARE-FOOT OFFICE/RETAIL BUILDING on 0.93 acres adjacent to the north side of Lake Mead Boulevard, approximately 230 feet west of Harbor Island Drive (APN 138-20-611-006), C-1 (Limited Commercial) Zone, Ward 4 (Brown). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS with WOLFSON not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

STEVE MAAHS, Indigo Architecture, Inc., appeared on behalf of the applicant and agreed with the conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:44 – 3:45)

5-1950

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 111 – SDR-4657

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped 06/09/04, except as amended by conditions herein.
3. A Waiver of foundation landscaping requirements is hereby approved.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf, if necessary.
6. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
7. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

8. Construct sidewalk along the private drive on the west side of this site concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on Lake Mead Boulevard to the first intersection of the on-site roadway network or an alternately acceptable access route; the connecting sidewalk shall be terminated on-site with a handicap ramp.
9. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
10. In accordance with the intent of a commercial subdivision, this pad site shall allow for the perpetual common access between the various parcels/owners within the South Shores Center Commercial Subdivision.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 111 – SDR-4657

CONDITIONS – Continued:

11. Per the previously approved Traffic Impact Analysis, contribute \$4,225.00 prior to the issuance of any building or off-site permits. The City reserves the right to utilize the contributed traffic monies for the installation or improvement of traffic signals at any intersection within this general vicinity, which is impacted by this development.
12. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, or the submittal of any construction drawings for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
13. Site development to comply with all applicable conditions of approval for Z-0003-89 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **SDR-4726** - **APPLICANT: PHD PROPERTIES, INC. - OWNER: CENTENNIAL COURT, LIMITED LIABILITY COMPANY** - Request for a Major Amendment to an approved Site Development Plan Review [Z-0074-99(1)] FOR TWO PROPOSED PAD SITES TOTALLING 16,000 SQUARE FEET, WHERE THREE PAD SITES TOTALLING 10,754 SQUARE FEET HAD BEEN APPROVED on 3.56 acres adjacent to the northeast corner of Sky Pointe Drive and Buffalo Drive (APN 125-21-711-004 and 005), C-2 (General Commercial) Zone under Resolution of Intent to T-C (Town Center) and U (Undeveloped) Zone [TC (Town Center) General Plan Designation] under Resolution of Intent to T-C (Town Center), Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with WOLFSON not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

COUNCILMAN MACK indicated that the applicant was present earlier but had to leave. Since this is a routine request, he motioned for approval.

No one appeared in opposition.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 112 – SDR-4726

MINUTES – Continued:

MAYOR GOODMAN declared the Public Hearing closed.

(3:45 – 3:46)

5-1998

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped June 27, 2004, except as amended by conditions herein.
3. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets
4. The applicant shall meet with Planning and Development staff to develop an addressing plan prior to issue of building permits.

Public Works

5. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits or the submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
6. In accordance with the intent of a commercial subdivision, this pad site shall allow for the perpetual common access between the various parcels/owners within the Buffalo/95 (Davis) (A Commercial Subdivision) area.
7. Site development to comply with all applicable conditions of approval for Z-74-99, Site Development Plan Review SDR-3441, the Buffalo/95 (Davis) (A Commercial Subdivision) and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **SDR-4749** - **APPLICANT: CITY OF LAS VEGAS - OWNER: UNITED STATES OF AMERICA AND CITY OF LAS VEGAS** - Request for a Site Development Plan Review FOR A PROPOSED 98,000 SQUARE-FOOT LEISURE CENTER on 16.80 acres adjacent to the northwest corner of Buffalo Drive and John Herbert Boulevard (APN a portion of 125-21-701-011, and a portion of 125-21-701-012), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] under Resolution of Intent to C-V (Civic) Zone, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/12/2004 Planning Commission meeting Item 17

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with WOLFSON not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MICHAEL VLAOVICH, City of Las Vegas Public Works Department, stated that he worked with staff, met with the neighbors and satisfied their concerns.

COUNCILMAN MACK expressed excitement in seeing a multi-generational facility and was pleased with the design. The 78,000 square foot facility will have two basketball courts and indoor and outdoor pools. It will be a great amenity to the entire City of Las Vegas.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 113 – SDR-4749

MINUTES – Continued:

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:46 – 3:48)

5-2046

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped June 29, 2004, except as amended by conditions herein.
3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wall pack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 113 – SDR-4749

CONDITIONS – Continued:

9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.
13. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
14. A permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

Public Works

15. Construct street improvements for Deer Springs Way adjacent to this site concurrent with development of this site. Construct incomplete half-street improvements on Buffalo Drive, including median improvements to channel and control turning movements as required by the City Traffic Engineer, adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
16. Provide a sanitary sewer plan showing how the existing sanitary sewer main in the old Deer Springs Way alignment will be maintained and/or how alternative sanitary sewer infrastructure will be provided to assist or replace current facilities. The plan must maintain sewer service to upstream users. All sewer mains transferring off-site effluent flows must be located within dedicated rights of way or appropriate easements must be provided and maintained.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 113 – SDR-4749

CONDITIONS – Continued:

17. A Drainage Plan and Technical Drainage Study or other acceptable information must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **SDR-4750** - **APPLICANT: ARNOLD ROSS STALK - OWNER: J & D FINANCIAL SERVICES, INC.** - Request for a Site Development Plan Review and Waivers of perimeter and foundation landscaping, building placement, exterior accent strip lighting being within 300 feet of residential property, and parking lot landscaping FOR A PROPOSED 60,000 SQUARE-FOOT COMMERCIAL CENTER on 5.4 acres adjacent to the northwest corner of Fremont Street and 25th Street (APN 139-35-815-002), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED subject to conditions – UNANIMOUS with MACK abstaining because a SuperPawn owned by his brother, STEVEN MACK, might be impacted by this project.

NOTE: COUNCILMAN MACK disclosed that although SuperPawn, owned by his brother, STEVEN MACK, is in the process of being sold, CAMCO, which will maintain the real estate holdings will still be affected. Due to the size of this project, he believes it could have an impact on his brother's property.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ARNOLD STALK, 7432 West Sahara Avenue, Suite 101, congratulated the Mayor, City Council and staff for the redevelopment occurring in Downtown Las Vegas. City staff

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 114 – SDR-4750

MINUTES – Continued:

has been very supportive and helpful with the site plan. La Plaza de Las Vegas will be a focal point of the Hispanic community in Downtown Las Vegas containing a mixture of uses, from entertainment, shopping and businesses to a wide variety of cultural events to be held throughout the year. In addition, tourists from Hispanic countries will help make this development an excellent tourist destination. This center will not only be for Latino residents and tourists, but for all Southern Nevadans to enjoy. The 60,000 square foot center will include a Supermercado, retail shops and ethnic restaurants. The center of the development will be the scene for wedding and Quinceanera ceremonies, outdoor dining and holiday celebrations. The second level will contain a wedding chapel, tux and wedding dress shop and offices.

MR. STALK added that La Plaza de Las Vegas project will add to the economic development and social benefits in Downtown Las Vegas, as well as eliminating blight in the area. This project will strengthen and diversify the economic base of the immediate neighborhood and will create over 250 part-time and full-time jobs. The Mayor and City Council's vision for a world class downtown is becoming a reality. La Plaza de Las Vegas represents an estimated 18 million dollar investment utilizing strictly private funds. MR. STALK concurred with all staff recommendations.

COUNCILMAN REESE asked MARGO WHEELER, Deputy Director, Planning and Development Department, to clarify the request. MS. WHEELER indicated that the conditions of approval recommend approval of the waiver of the foundation, landscaping and reduced perimeter tree spacing. However, the condition that the Planning Commission approved and that the applicant agreed to, does require additional trees, shrubs, and trails to meet the standards of the Code. Staff made their recommendation upon the condition that the requirements of the Code in the Downtown area have substantially been met.

ZAN MERLOT, President, Del Rancho Inc., explained they will be the primary tenant for this project and look forward to the opportunity of opening a new supermarket for the Hispanic community. Del Rancho Market will bring added vitality to the infrastructure of the area. They intend to employ 50 to 70 people and are in the process of opening other stores throughout the Valley. MAYOR GOODMAN verified with MR. MERLOT that the supermarket would be approximately 27,000 square feet primarily focused on service meat, seafood, bakery and a tortilleria.

LETIZIA GARDIA, 8929 Loggersmill Avenue, expressed her support because this project would address a great deal of tradition, cultural venues, events and a restaurant. The restaurant will bring a unique and authentic Mexican flavor that will also cater to the business sector, Anglos, Hispanics and tourists alike. The project includes a "cafecito" similar to a Starbucks.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 114 – SDR-4750

MINUTES – Continued:

MAYOR GOODMAN commented on all the new great developments taking place in this particular area. COUNCILMAN REESE concurred what and asked that MR. STALK work closely with his office.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(3:48 – 3:58)

5-2121

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped 08/02/04, except as amended by conditions herein. The applicant shall be required to schedule a post-approval conference with the Departments of Planning and Development and Public Works should the required engineering studies cause changes to the site plan or building elevations.
3. Any change in uses or square footage as identified on the approved Site Plan may result in the need for a parking Variance.
4. Waivers are granted to permitted to allow no foundation landscaping, reduced perimeter tree spacing, exterior accent lighting within 300 feet of residential property and place the building away from the property line.
5. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5 % of the total landscaped area as turf.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 114 – SDR-4750

CONDITIONS – Continued:

7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the proper development standards for a Multi-Use Transportation Trail, as depicted in the Transportation Trails Element of the Las Vegas General Plan, as well as, depicting minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within the remaining landscape planters.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 114 – SDR-4750

CONDITIONS – Continued:

Public Works

15. Dedicate an additional 8 feet of right-of-way for a total half-street width of 40 feet for that portion of 25th Street not previously dedicated adjacent to this site prior to the issuance of any permits. Additional dedication for a deceleration lane along Fremont Street acceptable to the City Traffic Engineer and dedication for the portion of the bus turn out along Eastern Avenue not previously dedicated shall also be provided unless specifically not required in the approved Traffic Impact Analysis.
16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Construct a deceleration lane on Fremont Street acceptable to the City Traffic Engineer adjacent to this site concurrent with development of this site.
17. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
18. Landscape and maintain all unimproved rights-of-way on Fremont Street, 25th Street, and Eastern Avenue adjacent to this site.
19. Submit an Encroachment Agreement for all landscaping and private improvements located in the Eastern Avenue and 25th Street public rights-of-way adjacent to this site prior to occupancy of this site. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Fremont Street public right-of-way adjacent to this site prior to the issuance of any permits.
20. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the west prior to the issuance of any permits.
21. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 114 – SDR-4750

CONDITIONS – Continued:

The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

22. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - MAJOR MODIFICATION - PUBLIC HEARING - **MOD-4615** - **APPLICANT: COOPER CUSTOM HOMES - OWNER: MB HOLDINGS, LIMITED LIABILITY COMPANY** - Request for a Major Modification TO REMOVE PROPERTY FROM THE IRON MOUNTAIN RANCH MASTER PLAN on 4.3 acres adjacent to the northeast corner of Horse Drive and Bradley Road (APN 125-12-601-006), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to condition – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 115 [MOD-4615], Item 116 [ZON-4616] and Item 117 [SDR-4617].

CHRIS KROFT, Wright Engineering, 7425 Peak Drive, appeared on behalf of the applicant and concurred with all conditions. MR. KROFT thanked COUNCILMAN MACK for meeting with them to discuss the project.

COUNCILMAN MACK asked MARGO WHEELER, Deputy Director, Planning and Development Department, to read into the record the added condition stating that Horse Drive shall have a five-foot landscape parkway with low maintenance ground cover plant material, separating the five-foot meandering sidewalk from back of L curb per Iron Mountain Ranch thematic loop street plan.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 115 – MOD-4615

MINUTES – Continued:

In addition, MS. WHEELER read into the record a condition regarding the equestrian trail stating that the east side of Bradley Road shall have the required 20-foot wide equestrian trail in accordance with Map 2 of the Recreation Trails Element. A detailed cross-section of the equestrian trail shall be submitted as part of the Tentative Map approval. MR. KROFT concurred with the added conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 115 [MOD-4615], Item 116 [ZON-4616] and Item 117 [SDR-4617].

NOTE: All discussion for Item 115 [MOD-4615], Item 116 [ZON-4616] and Item 117 [SDR-4617] was held under Item 115 [MOD-4615].

(3:58 – 4:00)

5-2557

CONDITION:

Planning and Development

1. Approval of and conformance to the conditions for Rezoning ZON-4616 and Site Development Plan Review SDR-4617.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - REZONING RELATED TO MOD-4615 - PUBLIC HEARING - ZON-4616 - APPLICANT: COOPER CUSTOM HOMES - OWNER: MB HOLDINGS, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 6.99 acres adjacent to the northeast corner of Horse Drive and Bradley Road (APN 125-12-601-006 and 009), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 115 [MOD-4615] all related discussion.

(3:58 – 4:00)

5-2557

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Major Modification (MOD-4615) and Site Development Plan Review application (SDR-4617) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 116 – ZON-4616

MINUTES – Continued:

Public Works

3. Construct half-street improvements on Horse Drive, Bradley Road and Unicorn Street including appropriate overpaving on Horse Drive and Unicorn Street adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
4. If not already constructed, extend public sewer from Thom Boulevard to this site at a location and depth acceptable to the City Engineer. Extend public sewer in Unicorn Street to the northern boundary of this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the -Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
6. Coordinate with the Clark County School District to determine the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts, prior to the issuance of any building permits or the recordation of any maps subdividing this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-4615 AND ZON-4616 - PUBLIC HEARING - **SDR-4617 - APPLICANT: COOPER CUSTOM HOMES - OWNER: MB HOLDINGS, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review FOR A 15 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 6.99 acres adjacent to the northeast corner of Horse Drive and Bradley Road (APN 125-12-601-006 and 009), R-E (Residence Estates) Zone [PROPOSED: R-PD-2 (Residential Planned Development - 2 Units Per Acre)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions and the following conditions as read for the record:

- *Horse Drive shall have a five-foot landscaped parkway with low-maintenance ground cover plant material, separating the five-foot meandering sidewalk from back of L curb, per Iron Mountain Ranch thematic loop street plan.*
- *The east side of Bradley Road shall have the required 20-foot wide equestrian trail in accordance with Map 2 of the Recreation Trails Element. A detailed cross-section of the equestrian trail shall be submitted as part of the Tentative Map approval.*

– UNANIMOUS

MINUTES:

NOTE: See Item 115 [MOD-4615] all related discussion.

(3:58 – 4:00)

5-2557

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 117 – SDR-4617

CONDITIONS:

Planning and Development

1. A Major Modification (MOD-4615) and a Rezoning application (ZON-4616) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. The setbacks for this development shall be 25 feet in the front, 30 feet in the rear (except for lots 7, 8, 11 and 12 as labeled on the submitted site plan, which shall have a 20 foot rear yard setback), 10 feet on the side and 15 feet on the corner side. Building height shall not exceed two stories or 35 feet, whichever is less.
4. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

Public Works

5. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision Map or other map is necessary for this site; if such map is required it should record prior to the issuance of any building permits for this site.
6. Provide and install a school flasher along Horse Drive. Coordinate with the Traffic Engineering Representative in Land Development to determine the location for the flasher. Provide or obtain easements as necessary to install school flasher.
7. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
8. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
9. Site development to comply with all applicable conditions of approval for ZON-4616 and all other site-related actions.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 117 – SDR-4617

CONDITIONS – Continued:

10. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4071 - APPLICANT: WRG DESIGN, INC. - OWNER: PALM MORTUARY, INC. - Petition to Vacate Deer Springs Way between Jones Boulevard and Maverick Street; and Maverick Street between Deer Springs Way and Rome Boulevard, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request by LAS Consulting, Inc.

MOTION:

REESE – Motion to STRIKE Item 101 [410 South 7th Street], to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 103 [DIR-4797] and Item 145 [SUP-4689], to TABLE Item 167 [ZON-4216], Item 168 [VAC-4218], Item 169 [SDR-4220] and to HOLD IN ABEYANCE Item 118 [VAC-4071], Item 141 [SUP-4592], to 10/6/2004, Item 104 [DIR-5079] and 126 [VAC-4747] to 10/20/2004, Item 137 [SUP-2848], Item 138 [SUP-3394], Item 140 [SUP-4532], Item 146 [SUP-4690] and Item 147 [SUP-4693] to 12/15/2004 – UNANIMOUS with GOODMAN abstaining on Item 104 [DIR-5079] because it related to the Scotch 80's subdivision where he resides, and any action could directly affect his property value and abstaining on Item 146 [SUP-4690] because ATTORNEY JAY BROWN, who represents the applicant, is a partner of his on a property known as the UNR Outpatient Clinic on West Charleston Boulevard

MINUTES:

COUNCILMAN MACK disclosed that on Item 137 [SUP-2848] his company, Mack Consulting, does business with billboard companies, but it will not affect his vote. He asked that Item 118 [VAC-4071] be held in abeyance to the 10/6/2004 City Council meeting.

(2:48 – 3:01)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4700 - APPLICANT: INVESTORS REALTY GROUP - OWNER: CAMPBELL 2.5, LIMITED LIABILITY COMPANY AND CARL UNGER, ET AL - Petition to Vacate U.S. Government Patent Easements generally located west of Campbell Road, north of Cheyenne Avenue, Ward 4 (Brown). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

RICHARD TURNER, 6765 West Russell Road, appeared on behalf of the applicant and concurred with staff conditions.

COUNCILMAN BROWN verified with BART ANDERSON, Public Works Department, that the condition regarding the elevations would be on the site plan.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(4:00 – 4:01)

5-2678

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 119 – VAC-4700

CONDITIONS:

1. This Petition of Vacation shall be modified to retain a 20-foot wide City of Las Vegas sewer easement connecting the northwest corner of Assessor's Parcel Number 138-08-401-008 to the nearest public street, in an alignment and to a location acceptable to the City Engineer prior to recordation of the Order of Relinquishment of Interest.
2. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required for ZON-4699 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
4. All development shall be in conformance with code requirements and design standards of all City Departments.
5. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4707 - APPLICANT/OWNER: L M CLIFF'S EDGE, LIMITED LIABILITY COMPANY - Petition to Vacate U.S. Government Patent Easements generally located east of Puli Drive between Grand Teton Drive and Farm Road, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JOSH JOHNSON, G.C. Wallace, Inc., 10000 West Charleston Boulevard, Suite #130, appeared on behalf of the applicant and concurred with staff conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(4:01 – 4:02)

5-2734

CONDITIONS:

1. Provide a plan, acceptable to the Development Coordination Section of the Department of Public Works, showing how legal access will be retained or provided to all parcels not under control of this developer prior to recordation of the Order of Relinquishment of Interest. Staff is empowered to modify the exact extents of this Vacation Application to ensure continuity of such legal access.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 120 – VAC-4707

CONDITIONS – Continued:

2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. The Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4710 - APPLICANT/OWNER: BACK AAG, LIMITED LIABILITY COMPANY - Petition to Vacate a portion of a twenty-foot (20') wide public sewer easement generally located south of Rancho Drive, east of Decatur Boulevard, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 121 [VAC-4710] and Item 122 [VAC-4711].

SAM DUNNAM, 3471 West Oquendo Road, Suite #101, appeared on behalf of the applicant and concurred with staff recommendations.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 121 [VAC-4710] and Item 122 [VAC-4711].

NOTE: All discussion for Item 121 [VAC-4710] and Item 122 [VAC-4711] was held under Item 121 [VAC-4710].

(4:02 – 4:03)

5-2772

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 121 – VAC-4710

CONDITIONS:

1. The boundaries of this Petition of Vacation shall be limited to a portion of the 20-foot wide public sewer easement per Right of Way Grant for Sewer Purposes, document no. 20030603:00538; all portions of the adjacent drainage easement shall be retained.
2. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
3. All development shall be in conformance with code requirements and design standards of all City departments.
4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, conditions that require modifications to public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4711 - APPLICANT/OWNER: BACK AAG, LIMITED LIABILITY COMPANY, ET AL - Petition to Vacate a twenty-foot (20') wide construction easement generally located south of Rancho Drive, east of Decatur Boulevard, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 121 [VAC-4710] for all related discussion.

(4:02 – 4:03)

5-2772

CONDITIONS:

1. The boundaries of this Petition of Vacation shall be limited to the 20-foot wide temporary construction easement as shown on the exhibit of the recorded Right of Way Grant for Drainage Purposes, document no. 20001201.01585; all portions of the adjacent drainage easement shall be retained.
2. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
3. All development shall be in conformance with code requirements and design standards of all City Departments.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 122 – VAC-4711

CONDITIONS – Continued:

4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, conditions that require modifications to public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4722 - APPLICANT/OWNER: PULTE HOMES - Petition to Vacate public sewer and drainage easements generally located east of Buffalo Drive, south of Iron Mountain Road, Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

TERI LIVENGOD, Stantec Consulting, 7251 West Charleston Boulevard, appeared on behalf of the applicant and concurred with all conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(4:03 – 4:04)

5-2840

CONDITIONS:

1. The Order of Vacation shall record concurrently with the Final Map for the Silverstone Ranch Parcel 17 subdivision to provide alternative sewer and drainage easements acceptable to the Department of Public Works.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 123 – VAC-4722

CONDITIONS – Continued:

2. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required for TMP-4601 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
3. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
4. All development shall be in conformance with code requirements and design standards of all City Departments.
5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, conditions that require modifications to public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4737 - APPLICANT: CITY OF LAS VEGAS
- OWNER: GRAND CANYON PARTNERS, LIMITED LIABILITY COMPANY -
Petition to Vacate a portion of Tee Pee Lane, located approximately 1,350 feet north of Grand Teton Drive, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

BART ANDERSON, Public Works Department, represented the City of Las Vegas and concurred with all conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(4:04 – 4:05)

5-2881

CONDITIONS:

1. This Petition of Vacation shall be modified to retain a 20-foot sewer easement centered over the existing sewer line.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 124 – VAC-4737

CONDITIONS – Continued:

2. Meet with the Flood Control Section of the Department of Public Works to discuss how this vacation will impact area drainage patterns prior to the recordation of an Order of Vacation.
3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, prior to the recordation of an Order of Vacation.
4. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
5. All development shall be in conformance with code requirements and design standards of all City departments.
6. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4745 - APPLICANT/OWNER:
WARMINGTON HOMES NEVADA - Petition to Vacate a Bureau of Land Management
Right-of-Way Grant Easement generally located west of Hualapai Way, south of Alexander
Road, Ward 4 (Brown). The Planning Commission (5-0 vote) and staff recommend
APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ELENA ARELLANO, G.C. Wallace Engineering, 1555 South Rainbow Boulevard, appeared on
behalf of the applicant and concurred with all conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(4:05 – 4:07)

5-2955

CONDITIONS:

1. All existing public improvements, if any, adjacent to and in conflict with this vacation
application are to be modified, as necessary, at the applicant's expense prior to the
recordation of an Order of Vacation.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 125 – VACF-4745

CONDITIONS – Continued:

2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
3. All development shall be in conformance with code requirements and design standards of all City departments.
4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4747 - APPLICANT/OWNER: M T C 118, INC. - Petition to Vacate the stubbed portion of Wittig Avenue east of Durango Drive, Ward 6 (Mack). The Planning Commission (3-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (3-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Abeyance letter from Lionel Sawyer & Collins
5. Submitted after final agenda – Revised abeyance letter from Lionel Sawyer & Collins

MOTION:

REESE – Motion to STRIKE Item 101 [410 South 7th Street], to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 103 [DIR-4797] and Item 145 [SUP-4689], to TABLE Item 167 [ZON-4216], Item 168 [VAC-4218], Item 169 [SDR-4220] and to HOLD IN ABEYANCE Item 118 [VAC-4071], Item 141 [SUP-4592], to 10/6/2004, Item 104 [DIR-5079] and 126 [VAC-4747] to 10/20/2004, Item 137 [SUP-2848], Item 138 [SUP-3394], Item 140 [SUP-4532], Item 146 [SUP-4690] and Item 147 [SUP-4693] to 12/15/2004 – UNANIMOUS with GOODMAN abstaining on Item 104 [DIR-5079] because it related to the Scotch 80's subdivision where he resides, and any action could directly affect his property value and abstaining on Item 146 [SUP-4690] because ATTORNEY JAY BROWN, who represents the applicant, is a partner of his on a property known as the UNR Outpatient Clinic on West Charleston Boulevard

MINUTES:

ATTORNEY CHRIS KAEMPFER indicated his applicant was ready to proceed with Item 126 [VAC-4747]. However, SENATOR BRYAN had contacted him to ask that the item be held in abeyance until the 10/20/04 City Council meeting, to which he agreed. MAYOR GOODMAN noted that he met with SENATOR BRYAN, who pointed out that due to the religious holiday, the abeyance would be agreeable both parties.

(2:48 – 3:01)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-4629 - APPLICANT/OWNER: DAY STAR VENTURE, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW AN 11-FOOT REAR SETBACK WHERE 15 FEET IS REQUIRED ON LOT 40; A 10-FOOT REAR, 7-FOOT STREET SIDE, AND 5-FOOT FRONT AND STREET SETBACKS WHERE 15-FOOT REAR, 10-FOOT STREET SIDE AND 10-FOOT FRONT SETBACKS ARE REQUIRED ON LOT 41; AND A 7-FOOT FRONT SETBACK WHERE 10 FEET IS REQUIRED ON LOT 48 in the Day Dawn Fusion Subdivision adjacent to the southeast corner of Fort Apache Road and Alexander Road (APN 138-08-101-001), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD5 (Residence Planned Development - 5 Units per Acre) Zone, Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (4-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (4-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions and the added condition as read for the record as follows:

- *All development shall be in conformance with the revised site plan date stamped 6/22/04.*

– UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 127 – VAR-4629

MINUTES – Continued:

ATTORNEY JOHN FIELDS, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and stated that the request is for a variance of three internal lots on a 55-lot single family residential development located on 10 acres on the corner of Fort Apache Road and Alexander Road. He indicated that on August 6, 2003 the zone change was approved. The applicant worked closely with COUNCILMAN BROWN'S office, ATTORNEY RUSSELL ROWE and the neighbors and reached a compromise regarding the lots along the southern 2.5 acres. In addition, Public Works Department required that along the westerly edge there be a turning lane. The applicant agreed that Lots 38, 39, 42 and 43 would be single story homes and the side setbacks would be increased in order to create a larger residential buffer, shifting these lots forward and causing setback variations from 15 feet to 10.3 on Lot 41 and 11.3 on Lot 40. As a result of the turning lane along the westerly edge, everything internally on Javana Court shifted easterly causing a setback deviation, as well as slight deviation in the front setback of Lot 48.

MARGO WHEELER, Deputy Director, Planning and Development Department, read into the record an added condition that all development shall be in conformance with the revised site plan date stamped 6/22/04. ATTORNEY FIELDS concurred with the added condition.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(4:07 – 4:10)

5-3029

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-2415), Site Development Plan Review (SDR-2418), Variance (VAR-2419), Tentative Map (TMP-3068), and Final Map Technical Review (FMP-4426).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council. New Construction.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-4701 - APPLICANT: TERRIBLE HERBST, INC. - OWNER: RANCHO CIRCLE SHOPPING CENTER, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW A PROPOSED 100-FOOT TALL FLAG POLE WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED at 2401 West Bonanza Road (APN 139-29-801-004), C-2 (General Commercial) Zone, Ward 5 (Weekly). Staff recommends DENIAL. The Planning Commission (3-1-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (3-1-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions and the added condition as read for the record as follows:

- *The existing pole on site shall be removed at the time that the flag pole receives its final inspection.*

– UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

COUNCILMAN WEEKLY noted that the representative was present during the morning session and resolved his concerns.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 128 – VAR-4701

MINUTES – Conditions:

MARGO WHEELER, Deputy Director, Planning and Development Department, explained that SEAN HIGGINS, representing the project, indicated that the existing pole is no longer being utilized on the site. It will be incorporated into the flag pole; therefore the maintenance problem will be relieved with the addition of this new flag pole. COUNCILMAN WEEKLY asked if this could be made into a condition, to which DEPUTY CITY ATTORNEY BRYAN SCOTT replied that since MR. HIGGINS agreed, it could be made as a condition of approval.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(4:10 – 4:12)

5-3210

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The flag pole must be able to co-locate a minimum of two wireless communication antennae.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VARIANCE - PUBLIC HEARING - **VAR-4720** - **APPLICANT: ALBERTSONS, INC. - OWNER: FLAMINGO SEC PARTNERS, LIMITED LIABILITY COMPANY** - Request for a Variance TO ALLOW 60 PARKING SPACES WHERE 79 SPACES IS THE MINIMUM REQUIRED in conjunction with a proposed retail building (Pharmacy) on 1.43 acres at 4800 West Charleston Boulevard (APN 138-36-804-009), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Support letter from Charleston Neighborhood Preservation for Item 129 [VAR-4720], Item 130 [SUP-4719] and Item 131 [SDR-4718] filed under Item 129 [VAR-4720]

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 129 [VAR-4720], Item 130 [SUP-4719] and Item 131 [SDR-4718].

HANK GORDON, 1770 North Buffalo Drive, appeared on behalf of the applicant and concurred with all conditions.

COUNCILWOMAN MONCRIEF thanked the applicant and staff and pointed out that staff's recommendation for denial was due to specific variances. She commented that the applicant will be dedicating a right turn lane onto Charleston Boulevard and a full bus pullout, which will help the traffic flow.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 129 – VAR-4720

MINUTES – Continued:

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 129 [VAR-4720], Item 130 [SUP-4719] and Item 131 [SDR-4718].

NOTE: All discussion for Item 129 [VAR-4720], Item 130 [SUP-4719] and Item 131 [SDR-4718] was held under Item 129 [VAR-4720].

(3:01 – 3:04)

5-380

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Special Use Permit (SUP-4719) and a Site Development Plan Review (SDR-4718) by the City Council.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO VAR-4720 - PUBLIC HEARING - SUP-4719 -
APPLICANT: ALBERTSONS INC. - OWNER: FLAMINGO SEC PARTNERS, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED GAMING ESTABLISHMENT, RESTRICTED on 1.43 acres at 4800 West Charleston Boulevard (APN 138-36-804-009), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Support letter from Charleston Neighborhood Preservation for Item 129 [VAR-4720], Item 130 [SUP-4719] and Item 131 [SDR-4718] filed under Item 129 [VAR-4720]

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 129 [VAR-4720] for all related discussion.

(3:01 – 3:04)

5-380

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Special Use Permit.
2. Approval of and conformance to the Conditions of Approval for an accompanying Site Development Plan Review (SDR-4718).

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 130 – SUP-4719

CONDITIONS – Continued:

3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4720 AND SUP-4719 - PUBLIC HEARING - **SDR-4718 - APPLICANT: ALBERTSONS, INC. - OWNER: FLAMINGO SEC PARTNERS, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review and Waivers of Perimeter and Foundation Landscaping Standards, and of Building Placement Standards FOR A PROPOSED SINGLE-STORY, 13,848 SQUARE-FOOT RETAIL BUILDING (PHARMACY) on 1.43 acres at 4800 West Charleston Boulevard (APN 138-36-804-009), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Support letter from Charleston Neighborhood Preservation for Item 129 [VAR-4720], Item 130 [SUP-4719] and Item 131 [SDR-4718] filed under Item 129 [VAR-4720]

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS

MINUTES:

NOTE: See Item 129 [VAR-4720] for all related discussion.

(3:01 – 3:04)

5-380

CONDITIONS:

Planning and Development

1. All development shall be in conformance with the site plan and building elevations, date stamped 07/12/04, except as amended by conditions herein.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 131 – SDR-4718

CONDITIONS – Continued:

2. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a greater number of trees and shrubs that more closely meets compliance with the landscaping standards.
3. A Variance (VAR-4720) to reduce the required number of parking spaces approved by the City Council.
4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit to reflect the conditions of approval for this application.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and otherwise meet all requirements and standards of the City. The trash enclosure shall be provided with a roof.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 131 – SDR-4718

CONDITIONS – Continued:

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.
14. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

Public Works

15. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northwest corner of Charleston Boulevard and Decatur Boulevard and an additional 10 feet of right-of-way for a total radius of 25 feet on the southwest corner of Decatur Boulevard and Alpine Street prior to the issuance of any permits. Dedicate all additional rights-of-way required by Standard Drawing #201.1 for turning lanes and #234.1 or #234.3 for bus turnouts prior to the issuance of any permits.
17. Meet with the Traffic Engineering Representative in Land Development for assistance in the redesign of the proposed driveway accessing Decatur Boulevard, on site circulation including drive thru facility, and parking lot layout to an acceptable configuration prior to the submittal of any construction plans.
18. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A and the proposed driveway accessing Charleston Boulevard shall receive approval from the Nevada Department of Transportation.
19. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Construct all improvements necessary for the required bus turnout and turning lanes concurrent with development of this site.
20. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct

CITY COUNCIL MEETING OF September 15, 2004
Planning and Development Department
Item 131 – SDR-4718

CONDITIONS – Continued:

such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

21. Landscape and maintain all unimproved right-of-way on Charleston Boulevard, Decatur Boulevard and Alpine Street adjacent to this site.
22. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.
23. Submit an Encroachment Agreement for all landscaping and private improvements located in the Decatur Boulevard and Alpine Street public right-of-way adjacent to this site prior to occupancy of this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-4733 - APPLICANT: LAMAR ADVERTISING COMPANY - OWNER: D. 2801 WESTWOOD, INC. - Request for a Variance TO ALLOW AN EXISTING 34-FOOT TALL OFF-PREMISE ADVERTISING (BILLBOARD) SIGN TO BE RAISED TO 55 FEET WHERE 40 FEET IS THE MAXIMUM HEIGHT PERMITTED at 2801 Westwood Drive (APN 162-08-604-001), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter by Lamar Advertising Company
5. Back up referenced from the 8/12/2004 Planning Commission meeting Item 64

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with MACK abstaining because the billboard sign is located on property belonging to a client of his company Mack Consulting, which he believes creates a conflict

NOTE: MAYOR GOODMAN disclosed that his son, ROSS GOODMAN, represents employees of the establishment being advertised. DEPUTY CITY ATTORNEY BRYAN SCOTT advised him that in the past, on another billboard issue involving this site, the Mayor made the determination that his son's representation of some of the entertainers of that establishment did not affect the billboard issue. Therefore, he could vote on the item.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 132 – VAR-4733

MINUTES:

SCOTT NAFTZGER, Lamar Outdoor, 1863 Helm Drive, stated the request is to raise an existing sign located at the south end of the property where the Treasures building is built. The sign was originally built at 34 feet, but the 45-foot tall building obstructs the sign approximately 30% decreasing the value of the sign. He asked that the sign be 55 feet to rise just above the existing building. This will not set a precedent, as there are other billboards in this area that are either 75 feet tall or 105 feet tall.

COUNCILWOMAN MONCRIEF stated that since the Treasures structure obstructs this sign, as well as the existence of taller billboards in this area, she moved for approval.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(4:12 – 4:15)

5-3322

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The applicant shall acquire all necessary permits from the Department of Building and Safety.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REQUIRED FIVE-YEAR REVIEW - PUBLIC HEARING - RQR-4264 - APPLICANT: SENSATION SPAS OF NEVADA - OWNER: HOWARD JOHNSON - Required Six Month Review of an approved Special Use Permit (U-0052-02) WHICH ALLOWED AN OPEN AIR VENDING/ TRANSIENT SALES LOT at 3200 North Rancho Drive (APN 138-12-810-005), C-2 (General Commercial) Zone, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ED CLEAR, Resident Manager, Sensation Spas of Nevada, 2440 Willow Road, Arroyo Grande, California, was present. MR. CLEAR indicated that Howard Johnson is no longer the owner of the property. Sensation Spas closed on the resale of this property in March, therefore delaying the completion of the parking lot. They have installed a 200-foot curb and gutter, two highway streetlights, sidewalks and hauled over 36 inches of type 2 fill base to raise the elevation of the parking lot. They have been in constant conversation with their contractor in removing the existing buildings and constructing two 10,000 square foot buildings that will employ over 20 people for fabrication and sales of spas, gazebos and above ground pools. The applicant has invested a considerable amount of money into this project, but because they are considered a small project, it is difficult to get cement companies to make deliveries. In addition, the applicant must hire a licensed contractor in order to obtain permits, and the applicant has had difficulty in finding workers. The subgrading for the parking lot and landscaping will be done at the end of the week.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 133 – RQR-4264

MINUTES – Continued:

MAYOR GOODMAN understood the applicant's position regarding cement companies because some City projects have been affected by the inability to obtain workers and the increase in concrete and steel costs.

COUNCILMAN MACK commended the applicant on his efforts to revitalize this area.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(3:04 – 3:10)

5-488

CONDITIONS:

Planning and Development

1. This Special Use Permit shall be reviewed in one (1) year, at which time the City Council may require the open-air vending/transient sales lot use be discontinued. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that use be discontinued.
2. Any outside storage kept in conjunction with this use shall conform to the requirements set forth in Title 19.04.040.
3. The open air/transient sales lot use shall not be extended onto adjacent parcels
4. All parking areas shall be paved and appropriately marked in accordance with the requirements of Title 19.10.
5. The applicant shall construct the required Multi-Use Transportation Trail, along Rancho Drive, in accordance with the standards as outlined in the Master Plan Transportation Trails Plan.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.]
7. Conformance to conditions of approval for Special Use Permit (U-0052-02).
8. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4541 - APPLICANT/OWNER: CAMINAR - LAS VEGAS - Request for a Special Use Permit FOR A PROPOSED CONVALESCENT CARE FACILITY/NURSING HOME at 2140 Vegas Drive (APN 139-20-802-007), U (Undeveloped) Zone [M (Medium Density Residential) General Plan Designation] under Resolution of Intent to R-2 (Medium-Low Density Residential) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JAN MICHELS, Perlman Architects, 2230 Corporate Circle, Suite 200, appeared on behalf of the applicant, and stated that the request is for an addition to the existing convalescent home, which has been in the community for approximately 22 years. MS. MICHELS concurred with staff's recommendations.

COUNCILMAN WEEKLY thanked FAYE JOHNSON of Neighborhood Services and staff for working with the applicant. He was appreciative for the help the applicant provides in the community.

No one appeared in opposition.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 134 – SUP-4541

MINUTES:

MAYOR GOODMAN declared the Public Hearing closed.

(4:15 – 4:16)

5-3494

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Convalescent Care Facility/Nursing Home use.
2. Conformance to the Conditions of Approval for Site Development Plan Review (SD-0033-02).
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. This use shall not include any of the uses allowed under “Transitional Living Group Home” or “Special Care Facility.”
5. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

6. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
7. Site development to comply with all applicable conditions of approval for Z-0066-02, SD-0033-02 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4688 - APPLICANT: SHIPPY, LIMITED LIABILITY COMPANY - OWNER: MEYER & SYLVIA GOLD TRUST -
Request for a Special Use Permit FOR A PROPOSED ANIMAL HOSPITAL adjacent to the south side of Charleston Boulevard, approximately 80 feet east of Wilshire Street (APN 163-01-502-002 and 003), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 135 [SUP-4688] and Item 136 [SDR-4687].

MANUEL BANGATTIA, 1500 Emerald Avenue, concurred with staff conditions, but asked for clarification of the condition regarding obtaining building permits contingent upon the two lots being combined into one. He asked that it be contingent upon obtaining the Certificate of Occupancy in order to allow them time to have the map recorded. ROBERT GENZER, Director, Planning and Development Department, explained it could be done under the rules of the Building and Safety Department. The Building Department cannot issue a building permit if it goes across a property line. MR. BANGATTIA rebutted that building permits were issued to two prior projects.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 135 – SUP-4688

MINUTES:

MR. GENZER suggested that a sentence be added at the end of Condition 15 of Item 136 [SDR-4687] “unless otherwise approved by the Building Official”. MR. BANGATTIA concurred with the addition to Condition 15.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 135 [SUP-4688] and Item 136 [SDR-4687].

NOTE: All discussion for Item 135 [SUP-4688] and Item 136 [SDR-4687] was held under Item 135 [SUP-4688].

(4:16 – 4:21)

5-3565

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for an Animal Hospital.
2. Approval of and conformance to the Conditions of Approval for an accompanying Site Development Plan Review (SDR-4687).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4688 - PUBLIC HEARING - **SDR-4687 - APPLICANT: SHIPPY, LIMITED LIABILITY COMPANY - OWNER: MEYER & SYLVIA GOLD TRUST** - Request for a Site Development Plan Review and a Waiver of building placement standards FOR A PROPOSED SINGLE-STORY 7,000 SQUARE-FOOT COMMERCIAL BUILDING on 0.66 acres adjacent to the south side of Charleston Boulevard approximately 80 feet east of Wilshire Street (APN 163-01-502-002 and 003), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions and amended as follows as read for the record:

15. Coordinate with the City Surveyor to determine whether an Administrative Joining or Mapping is required to eliminate the underlying lot line bisecting this site; if such is required it should record prior to the issuance of any building permits for this site, *unless otherwise approved by the Building Official.*

– UNANIMOUS

MINUTES:

NOTE: See Item 135 [SUP-4688] for all related discussion.

(4:16 – 4:21)

5-3565

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 136 – SDR-4687

CONDITIONS:

Planning and Development

1. Approval of a Special Use Permit (SUP-4688) for an Animal Hospital by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations dated 06/11/04, except as amended by conditions herein.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. (Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.)
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. The trash area shall be enclosed with a roof.
7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Details of the perimeter wall shall be submitted and approved by the Planning and Development Department staff prior to the issuance of a building permit. The property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 136 – SDR-4687

CONDITIONS – Continued:

10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.
12. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
13. The entrance gate off the alley shall swing to the interior.
14. A Nevada Department of Transportation encroachment permit on Charleston Boulevard shall be secured.

Public Works

15. Coordinate with the City Surveyor to determine whether an Administrative Joining or Mapping is required to eliminate the underlying lot line bisecting this site; if such is required it should record prior to the issuance of any building permits for this site.
16. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
17. Landscape and maintain all unimproved right-of-way on Charleston Boulevard adjacent to this site.
18. Submit an application for an Occupancy Permit for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.
19. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.
20. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - **SUP-2848** - **REAGAN NATIONAL ADVERTISING ON BEHALF OF C O G III, LIMITED** - Appeal filed by Singer & Brown from the Denial by the Planning Commission on a request for a Special Use Permit for a proposed off-premise advertising (billboard) SIGN on a portion of 3.03 acres located at 1110 South Rainbow Boulevard (APN 163-02-101-002), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
3. Conditions For This Application
4. Staff Report
5. Appeal letter filed by Singer & Brown
6. Submitted after final agenda – Abeyance request by Singer & Brown
7. Submitted after final agenda – Protest letter from Charleston Neighborhood Preservation

MOTION:

REESE – Motion to **STRIKE** Item 101 [410 South 7th Street], to Accept the **WITHDRAWAL WITHOUT PREJUDICE** of Item 103 [DIR-4797] and Item 145 [SUP-4689], to **TABLE** Item 167 [ZON-4216], Item 168 [VAC-4218], Item 169 [SDR-4220] and to **HOLD IN ABEYANCE** Item 118 [VAC-4071], Item 141 [SUP-4592], to 10/6/2004, Item 104 [DIR-5079] and 126 [VAC-4747] to 10/20/2004, Item 137 [SUP-2848], Item 138 [SUP-3394], Item 140 [SUP-4532], Item 146 [SUP-4690] and Item 147 [SUP-4693] to 12/15/2004 – **UNANIMOUS** with **GOODMAN** abstaining on Item 104 [DIR-5079] because it related to the Scotch 80's subdivision where he resides, and any action could directly affect his property value and abstaining on Item 146 [SUP-4690] because **ATTORNEY JAY BROWN**, who represents the applicant, is a partner of his on a property known as the **UNR Outpatient Clinic** on West Charleston Boulevard

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 137 – SUP-2848

MINUTES – Continued:

COUNCILMAN MACK disclosed that on Item 137 [SUP-2848] his company, Mack Consulting, does business with billboard companies, but it will not affect his vote. He asked that Item 118 [VAC-4071] be held in abeyance to the 10/6/2004 City Council meeting.

(2:48 – 3:01)

5-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP - Appeal filed by LAS Consulting, Inc. from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue (APN 163-02-816-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter submitted by LAS Consulting, Inc.
5. Submitted after final agenda – Abeyance request by Singer & Brown
6. Submitted after final agenda – Protest letter from Charleston Neighborhood Preservation

MOTION:

REESE – Motion to STRIKE Item 101 [410 South 7th Street], to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 103 [DIR-4797] and Item 145 [SUP-4689], to TABLE Item 167 [ZON-4216], Item 168 [VAC-4218], Item 169 [SDR-4220] and to HOLD IN ABEYANCE Item 118 [VAC-4071], Item 141 [SUP-4592], to 10/6/2004, Item 104 [DIR-5079] and 126 [VAC-4747] to 10/20/2004, Item 137 [SUP-2848], Item 138 [SUP-3394], Item 140 [SUP-4532], Item 146 [SUP-4690] and Item 147 [SUP-4693] to 12/15/2004 – UNANIMOUS with GOODMAN abstaining on Item 104 [DIR-5079] because it related to the Scotch 80's subdivision where he resides, and any action could directly affect his property value and abstaining on Item 146 [SUP-4690] because ATTORNEY JAY BROWN, who represents the applicant, is a partner of his on a property known as the UNR Outpatient Clinic on West Charleston Boulevard

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 138 – SUP-3394

MINUTES:

There was no discussion.

(2:48 – 3:01)

5-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4172 -
APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SHAHRAM AND TAWNYA SHEIKHAN - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 300 South Decatur Boulevard (APN 138-36-601-004), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by LAS Consulting, Inc.
5. Submitted after final agenda – Abeyance request by Singer & Brown
6. Submitted after final agenda – Protest letter from Charleston Neighborhood Preservation
7. Submitted after final agenda –Withdrawal without Prejudice request by Singer & Brown

MOTION:

MONCRIEF – WITHDRAWN WITHOUT PREJUDICE – UNANIMOUS with GOODMAN abstaining as ATTORNEY JAY BROWN, who represents the applicant, is a partner of his on a property known as the UNR Outpatient Clinic on West Charleston Boulevard

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

Under Item 100, COUNCILWOMAN MONCRIEF requested that Item 103 [DIR-4797], Item 142 [SUP-4593], Item 143 [SUP-4594] and Item 139 [SUP-4172] be taken off the abeyance request list and brought forward for discussion. It was then determined that a vote could be taken on Item 103 [DIR-4797] as it had been requested to be withdrawn without prejudice.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 139 – SUP-4172

MINUTES:

When the item was recalled, COUNCILWOMAN MONCRIEF moved to honor the applicant's request for withdrawal without prejudice.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.
(4:21 – 4:23)
6-125

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4532 -
APPLICANT: LAS VEGAS BILLBOARDS - OWNER: SAHARA MOHAWK, LIMITED LIABILITY COMPANY - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE (BILLBOARD) SIGN at 5320 West Sahara Avenue (APN 163-01-804-005), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by LAS Consulting, Inc.
5. Submitted after final agenda – Withdrawal without Prejudice request by Singer & Brown

MOTION:

MOTION:

REESE – Motion to STRIKE Item 101 [410 South 7th Street], to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 103 [DIR-4797] and Item 145 [SUP-4689], to TABLE Item 167 [ZON-4216], Item 168 [VAC-4218], Item 169 [SDR-4220] and to HOLD IN ABEYANCE Item 118 [VAC-4071], Item 141 [SUP-4592], to 10/6/2004, Item 104 [DIR-5079] and 126 [VAC-4747] to 10/20/2004, Item 137 [SUP-2848], Item 138 [SUP-3394], Item 140 [SUP-4532], Item 146 [SUP-4690] and Item 147 [SUP-4693] to 12/15/2004 – UNANIMOUS with GOODMAN abstaining on Item 104 [DIR-5079] because it related to the Scotch 80's subdivision where he resides, and any action could directly affect his property value and abstaining on Item 146 [SUP-4690] because ATTORNEY JAY BROWN, who represents the applicant, is a partner of his on a property known as the UNR Outpatient Clinic on West Charleston Boulevard

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 140 – SUP-4532

MINUTES:

LUCY STEWART appeared on behalf of Las Vegas Billboards and indicated that a letter was erroneously sent requesting Item 140 [SUP-4532] be withdrawn without prejudice. Instead, she asked that the item be held in abeyance to December 15, 2004.

(2:48 – 3:01)

5-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4592 -
APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: JOHN HERDA - Request for a
 Special Use Permit FOR A 40 FOOT HIGH, 10 FOOT X 40 FOOT OFF-PREMISE
 ADVERTISING (BILLBOARD) SIGN at 2744 Highland Drive (APN 162-09-202-001), M
 (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) and staff
 recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request by Mountain View Estates

MOTION:

REESE – Motion to STRIKE Item 101 [410 South 7th Street], to Accept the
 WITHDRAWAL WITHOUT PREJUDICE of Item 103 [DIR-4797] and Item 145 [SUP-
 4689], to TABLE Item 167 [ZON-4216], Item 168 [VAC-4218], Item 169 [SDR-4220] and to
 HOLD IN ABEYANCE Item 118 [VAC-4071], Item 141 [SUP-4592], to 10/6/2004, Item 104
 [DIR-5079] and 126 [VAC-4747] to 10/20/2004, Item 137 [SUP-2848], Item 138 [SUP-3394],
 Item 140 [SUP-4532], Item 146 [SUP-4690] and Item 147 [SUP-4693] to 12/15/2004 –
 UNANIMOUS with GOODMAN abstaining on Item 104 [DIR-5079] because it related to
 the Scotch 80's subdivision where he resides, and any action could directly affect his
 property value and abstaining on Item 146 [SUP-4690] because ATTORNEY JAY
 BROWN, who represents the applicant, is a partner of his on a property known as the
 UNR Outpatient Clinic on West Charleston Boulevard

MINUTES:

There was no discussion.

(2:48 – 3:01)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4593 -
APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: S & K FAMILY TRUST -
 Request for a Special Use Permit FOR AN OFF-PREMISE ADVERTISING (BILLBOARD)
 SIGN at 1531 Western Avenue (APN 162-04-605-007), M (Industrial) Zone, Ward 1 (Moncrief).
 Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request by Mountain View Estates

MOTION:

MONCRIEF – ABEYANCE to 10/6/2004 – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

Under Item 100, COUNCILWOMAN MONCRIEF requested that Item 103 [DIR-4797], Item 142 [SUP-4593], Item 143 [SUP-4594] and Item 139 [SUP-4172] be taken off the abeyance request list and brought forward for discussion. It was then determined that a vote could be taken on Item 103 [DIR-4797] as it had been requested to be withdrawn without prejudice.

When the item was recalled, COUNCILWOMAN MONCRIEF noted that staff discovered a billboard closer than what was previously estimated; therefore she moved for denial. MAYOR GOODMAN pointed out the applicant might have left without having the opportunity to address the Council. Therefore he suggested the item be abeyed. DEPUTY CITY ATTORNEY BRYAN SCOTT concurred with the Mayor indicating that there might be due process issues, and suggested the item be held in abeyance for two weeks.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 142 – SUP-4593

MINUTES:

MAYOR GOODMAN declared the Public Hearing closed.

(4:23 – 4:27)

6-190

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:****ABEYANCE ITEM** - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4594 -**APPLICANT: MOUNTAIN VIEW ESTATES - OWNER: SAITTA FAMILY TRUST -**

Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Special Use Permit FOR A 40 FOOT HIGH, 10 FOOT X 40 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2100 South Decatur Boulevard (APN 162-06-301-006), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (4-2 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****RECOMMENDATION:**

The Planning Commission (4-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Mountain View Estates
5. Submitted after final agenda – Abeyance request by Mountain View Estates
6. Submitted after final agenda - Protest letter from Charleston Neighborhood Preservation

MOTION:**MONCRIEF – ABEYANCE to 10/6/2004 – UNANIMOUS****MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

Under Item 100, COUNCILWOMAN MONCRIEF requested that Item 103 [DIR-4797], Item 142 [SUP-4593], Item 143 [SUP-4594] and Item 139 [SUP-4172] be taken off the abeyance request list and brought forward for discussion. It was then determined that a vote could be taken on Item 103 [DIR-4797] as it had been requested to be withdrawn without prejudice.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 143 – SUP-4594

MINUTES:

When the item was recalled, COUNCILWOMAN MONCRIEF stated that O'Bannon Drive is an extremely residential area and would follow staff's recommendation for denial. MAYOR GOODMAN pointed out the applicant might have left without having the opportunity to address the Council, and suggested the item be abeyed. He was concerned about the due process ramifications.

MAYOR GOODMAN verified with ROBERT GENZER, Director, Planning and Development Department, that when an applicant is notified of the abeyance, they are told they appearance is requested.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(4:25 – 4:27)

6-237

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4683 - APPLICANT: REAGAN NATIONAL ADVERTISING OF NEVADA - OWNER: ANER IGLESIAS TRUST -
Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 840 North Decatur Boulevard (APN 138-30-301-002), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Singer & Brown
5. Cover letter with nine protests
6. Submitted after final agenda – Abeyance request by Singer & Brown

MOTION:

WEEKLY – DENIED – UNANIMOUS with GOODMAN abstaining as ATTORNEY JAY BROWN, who represents the applicant, is a partner of his on a property known as the UNR Outpatient Clinic on West Charleston Boulevard

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

Under Item 100, COUNCILMAN WEEKLY requested that Item 144 [SUP-4683] and Item 145 [SUP-4689] be taken off the abeyance request list and brought forward for discussion.

ANDY BILANZICH, 1464 E. Michigan Avenue, appeared on behalf of the applicant and stated that they meet all distance code requirements.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 144 – SUP-4683

MINUTES:

COUNCILMAN WEEKLY indicated he met with ATTORNEY BROWN and explained to him that he would not support this billboard, as he is not interested in having a billboard at this particular location and moved for denial.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(4:27 – 4:30)

6-306

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4689 - SPECIAL USE PERMIT - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: JERRY APPELHANS AND DEBRA TENNARIELLO - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1301 North Main Street (APN 139-27-502-007), C-M (Commercial/Industrial) Zone, Ward 5 (Weekly). The Planning Commission (4-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by LAS Consulting, Inc.
5. Submitted after final agenda – Withdrawal without Prejudice request by Singer & Brown

MOTION:

REESE – Motion to STRIKE Item 101 [410 South 7th Street], to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 103 [DIR-4797] and Item 145 [SUP-4689], to TABLE Item 167 [ZON-4216], Item 168 [VAC-4218], Item 169 [SDR-4220] and to HOLD IN ABEYANCE Item 118 [VAC-4071], Item 141 [SUP-4592], to 10/6/2004, Item 104 [DIR-5079] and 126 [VAC-4747] to 10/20/2004, Item 137 [SUP-2848], Item 138 [SUP-3394], Item 140 [SUP-4532], Item 146 [SUP-4690] and Item 147 [SUP-4693] to 12/15/2004 – UNANIMOUS with GOODMAN abstaining on Item 104 [DIR-5079] because it related to the Scotch 80's subdivision where he resides, and any action could directly affect his property value and abstaining on Item 146 [SUP-4690] because ATTORNEY JAY BROWN, who represents the applicant, is a partner of his on a property known as the UNR Outpatient Clinic on West Charleston Boulevard

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 145 – SUP-4689

MINUTES:

COUNCILMAN WEEKLY requested that Item 144 [SUP-4683] and Item 145 [SUP-4689] be taken off the abeyance request list and brought forward for discussion. It was determined a vote could be taken on Item 145 [SUP-4689] as it had been requested to be withdrawn without prejudice.

(2:48 – 3:01)

5-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4690 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: RICHARD E WILKIE REVOCABLE TRUST - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2001 Western Avenue (APN 162-04-703-010), M (Industrial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Support letter from Arthur and Marsha Levine
5. Submitted after final agenda – Protest letter from G. Kenneth Albrecht
6. Submitted after final agenda – Abeyance request by Singer & Brown
7. Back up referenced from the 8/12/2004 Planning Commission meeting Item 9

MOTION:

REESE – Motion to STRIKE Item 101 [410 South 7th Street], to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 103 [DIR-4797] and Item 145 [SUP-4689], to TABLE Item 167 [ZON-4216], Item 168 [VAC-4218], Item 169 [SDR-4220] and to HOLD IN ABEYANCE Item 118 [VAC-4071], Item 141 [SUP-4592], to 10/6/2004, Item 104 [DIR-5079] and 126 [VAC-4747] to 10/20/2004, Item 137 [SUP-2848], Item 138 [SUP-3394], Item 140 [SUP-4532], Item 146 [SUP-4690] and Item 147 [SUP-4693] to 12/15/2004 – UNANIMOUS with GOODMAN abstaining on Item 104 [DIR-5079] because it related to the Scotch 80's subdivision where he resides, and any action could directly affect his property value and abstaining on Item 146 [SUP-4690] because ATTORNEY JAY BROWN, who represents the applicant, is a partner of his on a property known as the UNR Outpatient Clinic on West Charleston Boulevard

MINUTES:

There was no discussion.

(2:48 – 3:01)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4693 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: THOMAS J. OBATA - Appeal filed by the applicant from the Denial by the Planning Commission on a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6431 West Charleston Boulevard (APN 163-02-114-003), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-0 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

The Planning Commission (5-0 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Singer & Brown
5. Submitted after final agenda – Abeyance request by Singer & Brown
6. Submitted after final agenda – Protest letter from Charleston Neighborhood Preservation

MOTION:

REESE – Motion to STRIKE Item 101 [410 South 7th Street], to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 103 [DIR-4797] and Item 145 [SUP-4689], to TABLE Item 167 [ZON-4216], Item 168 [VAC-4218], Item 169 [SDR-4220] and to HOLD IN ABEYANCE Item 118 [VAC-4071], Item 141 [SUP-4592], to 10/6/2004, Item 104 [DIR-5079] and 126 [VAC-4747] to 10/20/2004, Item 137 [SUP-2848], Item 138 [SUP-3394], Item 140 [SUP-4532], Item 146 [SUP-4690] and Item 147 [SUP-4693] to 12/15/2004 – UNANIMOUS with GOODMAN abstaining on Item 104 [DIR-5079] because it related to the Scotch 80's subdivision where he resides, and any action could directly affect his property value and abstaining on Item 146 [SUP-4690] because ATTORNEY JAY BROWN, who represents the applicant, is a partner of his on a property known as the UNR Outpatient Clinic on West Charleston Boulevard

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 147 – SUP-4693

MINUTES:

There was no discussion.

(2:48 – 3:01)

5-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4739 - APPLICANT/OWNER: **THIRD STREET PROMENADE, LIMITED LIABILITY COMPANY** - Request for a Special Use Permit and a Waiver of the 1,500 foot distance separation requirement FOR A PROPOSED 10,000 SQUARE FOOT LIQUOR ESTABLISHMENT (TAVERN) at 201 North Third Street (APN 139-34-510-012), C-2 (General Commercial) Zone, Ward 5 (Weekly). **(Note: To be heard in conjunction with Morning Session Item 80).** The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS with MACK abstaining as his brother-in-law, ANDREW DONNER, is the Manager of the Third Street Promenade

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 148 [SUP-4739], Item 149 [SUP-4741], Item 150 [SUP-4742] and Item 151 [SUP-4743].

ROBERT O'NEILL, representing Third Street Promenade, thanked the Mayor and City Council for the challenge of bringing a project downtown. He also thanked COUNCILMAN WEEKLY and City staff, especially STEPHANIE BOIXO, Mayor's Office, ROBERT GENZER, Director of Planning and Development, MARGO WHEELER, Deputy Director of Planning and Development Department, STEVEN VAN GORP, DOUG LEIN and EARL RUSSELL, Office of Business Development, CHARLIE KAJKOWSKY and CHERI EDELMAN, Public Works Department, PAUL WILKINS, Building and Safety. He expressed excitement about this project and introduced some of the tenants that would be participating; ATTORNEY TODD KESSLER, MICK and MICHELLE DELL from Hogs and Heifers, and FREDERICK HAPCAR from The Jem Show.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 148 – SUP-4739

MINUTES – Continued:

MR. O'NEILL noted that Third Street is an urban place and he has talked to people who want to be part of this opportunity. Thus, he met MS. DELL, MR. HAPCAR, and DON TROXEL from Celebrity. The plan is to open at the end of 2004 and the beginning of 2005. He presented renderings of the final project.

MS. DELL indicated that Hogs and Heifers has been in New York City since November 1992 in one of the last light industrial commercial neighborhoods that exists in New York City. When they first moved into the neighborhood, they were the only bar and the only business opening at night. The other nighttime business was illegal, such as prostitution and drug dealing. Many people did not believe in their success, but she believed in the neighborhood. She is a firm believer in setting down roots in areas that involve a great amount of work and community effort. The meat market in Manhattan is now one of the hottest neighborhoods in the city, and is surrounded by department stores, hotels, and restaurants. When they first opened, the rent was \$6.25 per square foot and increased to \$35.00 per square foot for a second story space and \$65.00 per square foot for ground floor space. She is very proud to be part of that growth. Part of that change is about creating jobs, developing neighborhoods, and turning a neighborhood into one that is profitable and viable. This project not only will create jobs, but will also create tax revenues.

MAYOR GOODMAN commented that the project will be great for Downtown Las Vegas, especially with establishments such as Hogs and Heifers and Celebrity Las Vegas. These establishments will become a tourist destination. He credited MS. BOIXO for working with the applicant in solidifying this project. MR. O'NEILL noted that it was a team effort.

COUNCILMAN WEEKLY also thanked MS. BOIXO for her involvement in solidifying this project. He expressed some sadness due to the Ward realignments, which will set this project in Ward 3. MS. DELL informed the City Council that Hogs and Heifers is expected to open November 6, 2004.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 148 [SUP-4739], Item 149 [SUP-4741], Item 150 [SUP-4742] and Item 151 [SUP-4743].

(4:30 – 4:46)

6-397

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 148 – SUP-4739

CONDITIONS - Continued:

2. The 1,500-foot distance separation requirement for the Liquor Establishment (Tavern) use is hereby waived in accordance with Title 19.04.050(B).
3. Signage for the parcel shall be subject to the requirements of the Downtown Casino Overlay District in accordance with Title 19.06.100.
4. The trash enclosure shall be walled and roofed and the mechanical equipment shall be screened from adjacent rights-of-way in accordance with the requirements of Title 19.08.045.
5. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO SUP-4739 - PUBLIC HEARING - SUP-4741 –
APPLICANT/OWNER: THIRD STREET PROMENADE, LIMITED LIABILITY COMPANY - Request for a Special Use Permit and a Waiver of the 1,500 foot distance separation requirement FOR A 5,500 SQUARE FOOT PROPOSED LIQUOR ESTABLISHMENT (TAVERN) at 207 North Third Street (APN 139-34-510-013), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS with MACK abstaining as his brother-in-law, ANDREW DONNER, is the Manager of the Third Street Promenade

MINUTES:

NOTE: See Item 148 [SUP-4739] for all related discussion.

(4:30 – 4:46)

6-397

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The 1,500-foot distance separation requirement for the Liquor Establishment (Tavern) use is hereby waived in accordance with Title 19.04.050(B).

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 149 – SUP-4741

CONDITIONS – Continued:

3. The trash enclosure shall be walled and roofed and the mechanical equipment shall be screened from adjacent rights-of-way in accordance with the requirements of Title 19.08.045.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO SUP-4739 AND SUP-4741 - PUBLIC HEARING - SUP-4742 - **APPLICANT/OWNER: THIRD STREET PROMENADE, LIMITED LIABILITY COMPANY** - Request for a Special Use Permit and a Waiver of the 1,500 foot distance separation requirement FOR A PROPOSED 6,000 SQUARE FOOT LIQUOR ESTABLISHMENT (TAVERN) at 207-A North Third Street (APN 139-34-510-013), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS with MACK abstaining as his brother-in-law, ANDREW DONNER, is the Manager of the Third Street Promenade

MINUTES:

NOTE: See Item 148 [SUP-4739] for all related discussion.

(4:30 – 4:46)

6-397

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The 1,500-foot distance separation requirement for the Liquor Establishment (Tavern) use is hereby waived in accordance with Title 19.04.050(B).

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 150 – SUP-4742

CONDITIONS – Continued:

3. The trash enclosure shall be walled and roofed and the mechanical equipment shall be screened from adjacent rights-of-way in accordance with the requirements of Title 19.08.045.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO SUP-4739, SUP-4741 AND SUP-4742 - PUBLIC HEARING - **SUP-4743 - APPLICANT: THIRD STREET PROMENADE, LIMITED LIABILITY COMPANY - OWNER: MARILYN L. MILLER** - Request for a Special Use Permit and a Waiver of the 1,500 foot distance separation requirement FOR A PROPOSED 4,050 SQUARE FOOT LIQUOR ESTABLISHMENT (TAVERN) at 217 North Third Street (APN 139-34-510-015), C-2 (General Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS with MACK abstaining as his brother-in-law, ANDREW DONNER, is the Manager of the Third Street Promenade

MINUTES:

NOTE: See Item 148 [SUP-4739] for all related discussion.

(4:30 – 4:46)

6-397

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The 1,500-foot distance separation requirement for the Liquor Establishment (Tavern) use is hereby waived in accordance with Title 19.04.050(B).

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 151 – SUP-4743

CONDITIONS – Continued:

3. The trash enclosure shall be walled and roofed and the mechanical equipment shall be screened from adjacent rights-of-way in accordance with the requirements of Title 19.08.045.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4744 - **APPLICANT/OWNER: HUBERT R. POWELL AND RENEE C. RAMBERG** - Request for a Special Use Permit FOR A GUEST HOUSE ON A LOT WHOSE WIDTH IS LESS THAN 80 FEET, AND WHICH CONSISTS OF MORE THAN ONE OCCUPANT ROOM, A BATHROOM AND A WALK-IN CLOSET at 2808 Mason Avenue (APN 162-05-514-008), R-1 (Single-Family Residential) Zone, Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/12/2004 Planning Commission meeting Item 73

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with MAYOR GOODMAN and COUNCILMAN MACK excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

RENEE RAMBERG, 2808 Mason, asked for approval of her guesthouse and explained that it will be used for storage, a game room and a bathroom to be used by her guests after swimming. To make it aesthetically pleasing, she would want to build the structure in the back. MS. RAMBERG confirmed she would not be renting the guesthouse, but would only use it as extra storage space.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 152 – SUP-4744

MINUTES – Continued:

MARGO WHEELER, Deputy Director, Planning and Development Department, informed MAYOR PRO TEM REESE that staff's recommendation for denial was based on the concern that the plans depicts an area that is significantly setup as a kitchen. Staff believes the casita requirements are adequate to meet code without the waiver to the room requirements.

CHARLIE CARTER, 2812 Mason Avenue, appeared in support of the applicant's request. She indicated that the applicant has made great improvements to the house, and the guesthouse will be an added enhancement to the property.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(5:24 – 5:27)

6-2468

CONDITIONS:

Planning and Development

1. Conformance to the remaining requirements of Title 19.04.040 for a Guest House/Casita use.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

4. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4919 - APPLICANT: THE MASSAGE GROUP - OWNER: CITY OF LAS VEGAS REDEVELOPMENT AND FREMONT STREET EXPERIENCE, LLC - Request for a Special Use Permit FOR A PROPOSED MOBILE MASSAGE ESTABLISHMENT, WAIVER OF THE 1,000 FOOT DISTANCE SEPARATION REQUIREMENT FROM ANOTHER MASSAGE ESTABLISHMENT, AND A WAIVER OF THE RESTRICTIONS ON HOURS OF OPERATION within the Fremont Street Experience (APN 139-34-111-064), C-2 (General Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (5-2 vote) and staff recommend APPROVAL. [NOTE: The correct Ward designations are Wards 1 and 5 (Moncrief and Weekly), Ward 5 (Weekly) did not appear on the notifications]

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest letter from Charleston Neighborhood Preservation

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with MAYOR GOODMAN and COUNCILMAN MACK excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

RICHARD HARRIS, 2728 Brookstone Court, appeared to request approval and express his desire to contribute to the revitalization of downtown. COUNCILWOMAN MONCRIEF confessed her initial hesitation about what a mobile massage was but was educated on the exact service and wished the applicant luck.

No one appeared in opposition.

CITY OCUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 153 – SUP-4919

MINUTES – Continued:

MAYOR PRO TEM REESE declared the Public Hearing closed.

(5: 27– 5:28)

6-2611

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The number of employees allowable on-site at any given time will be limited to no more than 13 individuals.
3. The number of chairs allowable on-site at any given time will be limited to no more than 10.
4. A Waiver is approved to the distance separation standard from other massage establishments.
5. The hours of operation shall be limited to the period between 8 a.m. and 2 a.m., unless further limited by the City Council on a case-by-case basis.
6. Conformance to all other Minimum Requirements under Title 19.04.050 for the Massage Establishment use.
7. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - REZONING - PUBLIC HEARING - **ZON-4368** - **APPLICANT: CARINA HOMES** - **OWNERS: RONALD AND CAROLYN MICH'L** - Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: R-PD6 (RESIDENTIAL PLANNED DEVELOPMENT - 6 UNITS PER ACRE) on 10.52 acres adjacent to the northwest corner of Farm Road and Hualapai Way (APN 126-13-601-004, 006, 008 and 009), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL. [NOTE: This item will be amended to R-PD7 (Residential Planned Development – 7 Units per Acre)]

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with MAYOR GOODMAN excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 154 [ZON-4358], Item 155 [VAC-4420] and Item 156 [SDR-4370].

REBECCA RALSTON, 10050 Indigo Drive, clarified for COUNCILMAN WOLFSON that Carena Homes is the new property owner for Item 154 [ZON-4368], Item 155 [VAC-4420] and Item 156 [SDR-4370]. COUNCILMAN WOLFSON verified Carena's ownership because of his relationship with RON and CAROLYN MICH'L. MS. RALSTON indicated that Carena owns the property out-right, with respect to Item 154 [ZON-4368], Item 155 [VAC-4420] and Item 156 [SDR-4370]. However, she indicated that this is not true of Item 164 [ZON-4755], Item 165 [WVR-4774], and Item 166 [SDR-4756]. COUNCILMAN WOLFSON then indicated that he would make the appropriate disclosure when those items forward for discussion.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 154 – ZON-4368

MINUTES – Continued:

MS. RALSTON appeared on behalf of Carena Homes together with DOUG MAYLAN and concurred with staff's recommendations. She thanked COUNCILMAN MACK'S office and staff for professionalism and assistance.

COUNCILMAN MACK expressed his appreciation to the representatives for resolving all issues and amended Condition 4 on Item 156 [SDR-4370] to reflect the change of the date from 6/10/04 to 9/13/04. MARGO WHEELER, Deputy Director, Planning and Development Department, added a sentence at the end of Condition 5 on Item 156 [SDR-4370] stating that the properties backing Farm Road shall have 10-foot rear setbacks. Lots 19 through 31, abutting adjacent properties to the west, shall have 10-foot rear setbacks and lots 3, 4, 9 and 10 shall have 10-foot side setbacks on Hualapai Way.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 154 [ZON-4358], Item 155 [VAC-4420] and Item 156 [SDR-4370].

NOTE: All discussion for Item 154 [ZON-4358], Item 155 [VAC-4420] and Item 156 [SDR-4370] was held under Item 154 [ZON-4358].

(4:46 – 4:51)

6-949

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit for zoning of R-PD7.
2. A Site Development Plan Review application (SDR-4370) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate an additional 10 feet of right-of-way for a total half-street width of 80 feet on Farm Road adjacent to this site and dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northwest corner of Farm Road and Hualapai Way. Additional dedications in accordance with Standard Drawing #201.1 shall also be provided unless specifically not required in the approved Traffic Impact Analysis.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 154 – ZON-4368

CONDITIONS – Continued:

4. Construct half-street improvements including appropriate overpaving on Farm Road and Hualapai Way adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.
5. If not already in place at the time of development, construct a 12-inch sewer main in Hualapai Road from Severance Lane to Farm Road, an 8-inch sewer main in Hualapai Road from Farm Road to the north property line and a 10-inch sewer extension in Farm Road to the west property line at a location and depth acceptable to the City Engineer concurrent with development of this site. Provide a plan for such work to the Department of Public Works for approval prior to submittal of a Final Map for this site.
6. If not already constructed at the time of development provide a minimum of two lanes of paved, legal access to this site prior to occupancy of any units within this development.
7. Submit a Petition of Vacation for Donald Nelson Avenue; said Order of Vacation must be recorded prior to recordation of a Final Map abutting or overlying the area to vacated, and the Final Map must show the Recorder's number for the Vacation.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - VACATION RELATED TO ZON-4368 - PUBLIC HEARING - VAC-4420 - **APPLICANT: CARINA HOMES; OWNER: RON AND CAROLYN MICH'L, ET AL** - Request for a Petition to vacate U. S. Government Patent Easements and the Donald Nelson Avenue Right of Way, generally located west of Hualapai Way, north of Farm Road, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused

MINUTES:

NOTE: See Item 154 [ZON-4368] for all related discussion.

(3:11 – 3:12)

5-1033

CONDITIONS:

1. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
2. All development shall be in conformance with code requirements and design standards of all City departments.
3. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 155 – VAC-4420

CONDITIONS – Continued:

4. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest and the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by ZON-4368 may be used to satisfy this requirement provided that it addresses the area to be vacated.
5. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest or the Order of Vacation.
6. The Order of Relinquishment of Interest and Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4368 AND VAC-4420 - PUBLIC HEARING - **SDR-4370** - **APPLICANT: CARINA HOMES** - **OWNER: RONALD AND CAROLYN MICH'L** - Request for a Site Development Plan Review FOR A 73-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 10.52 acres adjacent to the northwest corner of Farm Road and Hualapai Way (APN 126-13-601-004, 006, 008 and 009), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: R-PD6 (Residential Planned Development - 6 Units per Acre)], Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend APPROVAL. [NOTE: This item will be amended to 69 lots PROPOSED: R-PD7 (Residential Planned Development - 7 Units per Acre)]

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions as read for the record and amended as follows:

4. All development shall be in conformance with the site plan and building elevations for a maximum of 69 units, date stamped 9/13/04, except as amended by conditions herein.
5. The setbacks for this development shall be a minimum of 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3 feet on the side, 10 feet to the building, 10 feet on the corner side, and 5 feet in the rear. *The properties backing Farm Road shall have 10-foot rear setbacks. Lots 19 through 31 abutting adjacent property to the west shall have 10-foot rear setbacks, and lots 3, 4, 9 and 10 shall have 10-foot side setbacks on Hualapai Way.*

– UNANIMOUS with MAYOR GOODMAN excused

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 156 – SDR-4370

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-4368] to an R-PD7 (Residential Planned Development - 7 Units Per Acre) Zoning District approved by the City Council.
2. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
3. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
4. All development shall be in conformance with the site plan and building elevations for a maximum of 69 units, date stamped June 10, 2004, except as amended by conditions herein.
5. The setbacks for this development shall be a minimum of 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 3 feet on the side, 10 feet to the building, 10 feet on the corner side, and 5 feet in the rear.
6. Air conditioning units shall not be mounted on rooftops.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
8. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade.
9. All City Code requirements and design standards of all City departments must be satisfied.
10. The trail shown on the plan along the west side of Hualapai Way shall conform to the Cliff's Edge Multi-Use Transportation Trail Standards.

Public Works

11. A petition of vacation for all right-of-way in conflict with the proposed site plan (Donald Nelson Avenue), such as VAC-4420, shall record prior to the recordation of a Final Map abutting or overlying the area to be vacated, and the Final Map must show the Recorder's numbers of the Vacations.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 156 – SDR-4370

CONDITIONS – Continued:

12. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
13. Grant pedestrian access easements and public utility easements for all sidewalks located outside of the public street right-of-way. The sidewalk shall be within a separate common lot.
14. Landscape and maintain all unimproved rights-of-way on Hualapai Way and Farm Road adjacent to this site.
15. Submit an Encroachment Agreement for all landscaping and private improvements located in the Hualapai Way and Farm Road public rights-of-way adjacent to this site prior to occupancy of this site.
16. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
17. Site development to comply with all applicable conditions of approval for ZON-4368 and all other subsequent site-related actions.
18. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that non-standard private drive/private street intersections are proposed within in this development.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4208 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Rezoning FROM: U (Undeveloped) Zone [TC (Town Center) General Plan Designation] TO: T-C (Town Center) on 29.14 acres adjacent to the southeast corner of North Tee Pee Lane and Severence Lane (APN 125-18-801-006, 008, 013, 014, 015 and 016), Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 157 [ZON-4208], Item 158 [VAR-4209], Item 159 [SUP-4210], Item 160 [VAC-4212] and Item 161 [SDR-4214].

JEANINE WALLACE, Bossard Developer Services, 2920 North Green Valley Parkway, Suite #814, appeared on behalf of the applicant and concurred with staff conditions, including the deletion of Condition 13 for Item 161 [SDR-4214]. COUNCILMAN MACK acknowledged this property would be built directly across the street from a City park.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 157 [ZON-4208], Item 158 [VAR-4209], Item 159 [SUP-4210], Item 160 [VAC-4212] and Item 161 [SDR-4214].

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 157 – ZON-4208

MINUTES – Continued:

NOTE: All discussion for Item 157 [ZON-4208], Item 158 [VAR-4209], Item 159 [SUP-4210], Item 160 [VAC-4212] and Item 161 [SDR-4214] was held under Item 157 [ZON-4208].

(4:51 – 5:28)

6-1121

CONDITIONS:

Planning and Development

1. This Rezoning request shall go direct to Ordinance.
2. Variance (VAR-4209), Special Use Permit (SUP-4210), Site Development Plan Review (SDR-4214) and Vacation (VAC-4212) applications approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Submit a Petition of Vacation for Chieftain Street for all rights-of-way in conflict with the proposed site plan. The Order of Vacation, such as VAC-4212, must be recorded prior to the issuance of any permits or the recordation of a Final Map abutting or overlying the area to be vacated, whichever may come first, and the Final Map must show the Recorder's number of the Vacation.
4. Dedicate 40 feet of half street right-of-way adjacent to this site for those portions of Severance Lane not previously dedicated, 50 feet for Elkhorn Road for those portions not previously dedicated, 40-feet for Tee Pee Lane for those portions not previously dedicated, 50 feet for Fort Apache Road, a 25 foot radius on the southwest corner of Severance Lane and Fort Apache Road, a 25 foot radius on the northwest corner of Elkhorn Road and Fort Apache Road and a 25 foot radius on the northeast corner of Tee Pee Lane and Elkhorn Road. Additional dedications in accordance with Standard Drawing #201.1 and #234.1 or #234.3 for a bus stop turn out shall also be provided at Elkhorn Road and Fort Apache Road unless specifically noted in writing as not needed by the City Traffic Engineer.
5. Construct half-street improvements, including appropriate overpaving if legally able, on Severance Lane, Tee Pee Lane, Fort Apache Road, and Elkhorn Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical,

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 157 – ZON-4208

CONDITIONS – Continued:

- telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
6. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
 7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE RELATED TO ZON-4208 - PUBLIC HEARING - **VAR-4209** - **APPLICANT/OWNER: PARDEE HOMES OF NEVADA** - Request for a Variance TO ALLOW 0.93 ACRES OF OPEN SPACE WHERE 2.77 ACRES IS THE MINIMUM REQUIREMENT FOR A 168-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 38.66 acres adjacent to the southeast corner of North Tee Pee Lane and Severence Lane (APN 125-18-801-006, 007, 008, 013, 014, 015 and 016), T-C (Town Center) Zone, U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center)], Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused

MINUTES:

NOTE: See Item 157 [ZON-4208] for all related discussion.

(3:11 – 3:12)

5-1033

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4208), Special Use Permit (SUP-4210), Variance (VAR-4209), and Site Development Plan Review [SDR-4214].
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 158 – VAR-4209

CONDITIONS – Continued:

Public Works

3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of \$320,603.00 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map, otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO ZON-4208 AND VAR-4209 - PUBLIC HEARING - SUP-4210 - **APPLICANT/OWNER: PARDEE HOMES OF NEVADA** - Request for a Special Use Permit TO ALLOW A GATED COMMUNITY WITH PRIVATE STREETS on 38.66 acres adjacent to the southeast corner of North Tee Pee Lane and Severence Lane (APN 125-18-801-006, 007, 008, 013, 014, 015 and 016), T-C (Town Center) Zone, U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center)], Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused

MINUTES:

NOTE: See Item 157 [ZON-4208] for all related discussion.

(3:11 – 3:12)

5-1033

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Private Street.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4208), Variance (VAR-4209), Vacation (VAC-4212), and Site Development Plan Review [SDR-4214].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 159 – SUP-4210

CONDITIONS – Continued:

4. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

5. Gated entry drives shall be designed, located and constructed in accordance with Standard Drawing #222A.
6. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
7. Private streets shall be public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.
8. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
9. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4208 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION RELATED TO ZON-4208, VAR-4209 AND SUP-4210 - PUBLIC HEARING - **VAC-4212 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA** - Petition to vacate U.S. Government Patent Easements generally located south of Severance Lane, west of Tee Pee Lane, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with GOODMAN excused

MINUTES:

NOTE: See Item 157 [ZON-4208] for all related discussion.

(3:11 – 3:12)

5-1033

CONDITIONS:

1. The boundaries of this Petition of Vacation of right-of-way shall be the west 30 feet of the Chieftain Street alignment, including the radius corner.
2. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest and the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required for ZON-4208 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 160 – VAC-4212

CONDITIONS – Continued:

3. Development of these sites shall comply with all applicable conditions of approval for Zoning Reclassification ZON-4208, Site Development Plan Review SDR-4214 and all other applicable site-related actions.
4. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest or the Order of Vacation.
5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.
6. All development shall be in conformance with code requirements and design standards of all City Departments.
7. The Order of Relinquishment of Interest and Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
8. If the Order of Relinquishment of Interest and Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4208, VAR-4209 AND SUP-4210 AND VAC-4212 - PUBLIC HEARING - **SDR-4214 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA** - Request for a Site Development Plan Review FOR A 168-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 38.66 acres adjacent to the southeast corner of North Tee Pee Lane and Severence Lane (APN 125-18-801-006, 007, 008, 013, 014, 015 and 016), T-C (Town Center) Zone and U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center)], Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

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City Council Meeting

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions and deleting Condition 13 – UNANIMOUS with MAYOR GOODMAN excused

MINUTES:

NOTE: See Item 157 [ZON-4208] for all related discussion.

(3:11 – 3:12)

5-1033

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-4208] to a T-C (Town Center) Zoning District, a Variance of open space standards (VAR-4209), a Special Use Permit for private, gated streets in Town Center (SUP-4210), and a Vacation of government patent easements (VAC-4212) approved by the City Council.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 161 – SDR-4214

CONDITIONS – Continued:

2. All development shall be in conformance with the revised site plan and building elevations date stamped 8-4-04, except as amended by conditions herein.
3. The standards for this development shall include the following: minimum distance between buildings of 10 feet and building height shall not exceed two stories or 35 feet, whichever is less.
4. The setbacks for this development shall be a minimum of 10 feet to the front of the house or swing garage, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear, except for lots fronting on cul-de-sac bulbs, where 7 feet in the rear is allowed.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box large canopy trees planted a maximum of 35 feet on-center along Fort Apache Road and a maximum of 30 feet on-center along Severence Lane.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. Air conditioning units shall not be mounted on rooftops.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 161 – SDR-4214

CONDITIONS – Continued:

12. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
13. All development shall be in conformance with the site plan and building elevations, date stamped 03/15/04, except as amended by conditions herein.

Public Works

14. Provide pedestrian access easements for all sidewalks adjacent to public streets that are not located within the public right-of-way.
15. Landscape and maintain all unimproved rights-of-way on Tee Pee Lane, Severance Lane, Elkhorn Road and Fort Apache Road adjacent to this site.
16. Submit an Encroachment Agreement for all landscaping and private improvements located in the Tee Pee Lane, Severance Lane, Elkhorn Road and Fort Apache Road public rights-of-way adjacent to this site prior to occupancy of this site.
17. Site development to comply with Town Center Standards and all applicable conditions of approval for Zoning Reclassification ZON-4208 and all other subsequent site-related actions.
18. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4699 - APPLICANT: INVESTORS REALTY GROUP - OWNERS: WEILAND TRUST B AND SAN GREGARIO, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: U (UNDEVELOPED) [O (OFFICE) GENERAL PLAN DESIGNATION] TO: O (OFFICE) on 2.5 acres adjacent to the northwest corner of Cheyenne Avenue and Campbell Road (APN 138-08-401-009), Ward 4 (Brown). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS with GOODMAN and MACK excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

RICHARD TURNER appeared on behalf of the applicant and concurred with staff recommendations.

No one appeared in opposition.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(5:28 – 5:30)

6-2705

CITY COUNCIL MEETING OF SEPTEMBER 25, 2004
Planning and Development Department
Item 162 – ZON-4699

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 50 feet of right-of-way adjacent to this site for Cheyenne Avenue, 30 feet for Campbell Road, and a 25-foot radius at the northwest corner of Cheyenne Avenue and Campbell Road prior to the issuance of any permits.
4. Construct all incomplete half-street improvements on Cheyenne Avenue, including appropriate transition paving if legally able, and on Campbell Road adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the western boundary of this site prior to construction of hard surfacing (asphalt or concrete).
5. Extend public sewer to the west edge of this site at a depth and location acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

CITY COUNCIL MEETING OF SEPTEMBER 25, 2004
Planning and Development Department
Item 162 – ZON-4699

CONDITIONS – Continued:

7. The Applicant shall work with staff prior to submittal of a Site Development Plan Review to ensure that the final elevations of building pad(s) and parking lot are to the lowest height allowed by the Regional Flood Control District Manual and shall submit an exterior wall plan with the Site Development Plan Review showing existing and proposed grades, proposed wall heights and maximum retaining wall heights at the perimeters of the site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4746 - APPLICANT/OWNER: JACOB J. KIEFER - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-1 (Single-Family Residential) on 1.45 acres adjacent to the northeast corner of Elkhorn Road and Unicorn Street (APN 125-13-801-011), Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Protest petition with 48 signatures
5. Protest petition with 44 signatures
6. Submitted after final agenda – Protest petition with 88 signatures
7. Submitted after final agenda – Protest petition with 18 signature

MOTION:

MACK – APPROVED subject to amended conditions

2. The maximum density allowed on this site shall be 2.07 residential units per gross acre.
3. Construct half-street improvements on Elkhorn Road and *rural improvements* on Unicorn Street, including appropriate transitional paving, adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the north and west boundaries of this site as necessary, prior to construction of hard surfacing (asphalt or concrete).

And the following added condition as read for the record:

- The approval is pursuant to the submitted site plan date stamped 8/27/04.
- UNANIMOUS with MAYOR GOODMAN excused

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 163 – ZON-4746

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

JAKE KIEFER, 4429 Lawrence Street, North Las Vegas, appeared on behalf of the applicant and displayed a drawing to help validate the rezoning request. He indicated that the lots to the east are zoned R-PD5 and south is R-1 with five units per acre. On the west and north are R-E lots, which are surrounded by higher density zoning due to the ML-8. After the Planning Commission meeting on August 12, 2004, he met with LENI SKAAR, City Council Liaison, and discussed the issues that arose from the first site plan that was submitted. The main issue was that on Unicorn Street two lots were facing Unicorn Street, which was not consistent with what is currently there. They changed the plan to have only one lot facing Unicorn Street and the other two lots facing Elkhorn Road.

MR. KIEFER confirmed they will have only single story homes so as not to impose on the existing R-E and will keep R-E setbacks on the side setbacks. He pointed out that Elkhorn Road is a 100-foot right-of-way primary thoroughfare and will be one of few roads that will go from Aliante to I-95. This supports the fact that the zoning next to Elkhorn Road is justified. He met with neighbors to address their concerns, which were mainly not to change their lifestyle. The proposed project will not impact the residents' lifestyle, but will create a buffer between Elkhorn Road and what currently exists.

MILDRED POPE, 7224 Unicorn Street, verified that a protest petition was submitted. She objects to the rezoning because only one lot will remain R-E for people who have horses. They have spent over 12 years developing their own properties and do not want to have their lifestyle altered. They want to pass down this lifestyle to their children, which would help keep them from turning to bad habits.

ROSHA KASRAVI, 7208 Unicorn Street, appeared in opposition of the rezoning and presented a booklet to demonstrate the current activity in the area. She listed problems they want to avoid. They want to retain the area R-E, single-story homes and keep the trail out in front. BRIAN HINES, aka DANNY LANE, 7208 Unicorn Street, also expressed his opposition and asked that people have the right to maintain their properties with horses.

BOBBI SCOTT, 4950 Elkhorn Road, stated she moved into this area so that she could have horses on her property. She rides horses with many kids, and feels that this amenity keeps the kids involved and not into drugs. This project will take away any opportunity to afford horse property. SUKI MAX MINTUN rides her horse in the area and asked that it be kept rural. She asked that the one-story homes be built without attics or gabled roofs.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 163 – ZON-4746

MINUTES – Continued:

MR. KIEFER stated they do not oppose horses. COUNCILMAN MACK requested that a disclosure be included in the purchase agreement that the homes are adjacent to horse properties. MR. KIEFER agreed and reiterated that their attempt is not to change the lifestyle but to reach a compromise. He explained that the one-story homes would have an attic.

COUNCILMAN MACK commented on the difficulty of fulfilling the demand of growth specifically in the northwest. The City Council has done a great job with smart growth, but when property values increase, it forces many of the rural properties out. This cannot be controlled, but the neighbors are protected with buffering. He noted that Elkhorn Road will become a busy road and it will be difficult to retain the rural designation. He thanked the applicant for reducing the numbers of units from four to three units per acre. MR. KIEFER indicated that the homes will be approximately 2,500 square feet with a price range of \$400,000.

COUNCILMAN MACK commented that there is a height requirement for single story homes. He reiterated that there will be a disclosure in the agreement about adjacent properties having horses. He amended Condition 2 to state that the maximum density allowed on this site shall be 2.07 residential units per gross acre. He asked Public Works to work with the applicant on rural street standards for Unicorn Street. BART ANDERSON, Public Works Department, recommended that Condition 3 be amended to insert the words “rural improvements” in the first line. He would take the Councilman’s direction and expand on that with a Tentative Map to identify exactly what those rural improvements will be.

COUNCILMAN MACK asked MR. ANDERSON to explain the rural standard improvements. He explained by using the difference between rural and urban standards. He requested that the applicant give the City the streetlights for possible future installation. MR. ANDERSON also indicated that the plans shows homes that will access Elkhorn Road, which is a 100-foot right-of-way requiring either a circular driveway or a driveway with sufficient turn around. The site plan does accommodate that, thus complying with Public Works’ requirement.

MARGO WHEELER, Deputy Planning and Development Director, added a condition that the approval is pursuant to the submitted site plan date stamped 8/27/04. MR. KIEFER agreed with the added and amended conditions.

MAYOR PRO TEM REESE declared the Public Hearing closed.

(4:55 – 5:16)

6-1273

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 163 – ZON-4746

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. The maximum density allowed on this site shall be 2.76 residential units per gross acre.

Public Works

3. Construct half-street improvements on Elkhorn Road and on Unicorn Street, including appropriate transitional paving, adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the north and west boundaries of this site as necessary, prior to construction of hard surfacing (asphalt or concrete).
4. Extend public sewer in Unicorn Street to the north edge of this site, to a location, depth and alignment acceptable to the City Engineer concurrent with development of this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
5. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING - PUBLIC HEARING - ZON-4755 - APPLICANT: RICHMOND AMERICAN HOMES OF NEVADA, INC. - OWNER: CAN CAN II (KB) TARGETS, LIMITED PARTNERSHIP AND RONALD MICH'L AND CAROLYN MICH'L - Request for a Rezoning FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: R-PD7 (Residential Planned Development - 7 Units per Acre) on 10.57 acres adjacent to the southeast corner of Grand Teton Drive and Durango Drive (APN 125-16-101-001), Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/12/2004 Planning Commission meeting Item 55

MOTION:

MACK – APPROVED subject to conditions and amended Condition 3 to read:

3. Dedicate an additional 10-feet of right-of-way for a total half street width of 60-feet on Grand Teton Drive, an additional 10-feet of right-of way for a total half street width of 60-feet on Durango Drive, 30 feet of right-of-way adjacent to this site for Quail View Street, and a 15-foot radius at the northwest corner of Quail View Street and Jo Marcy Drive. Additional dedications in accordance with Standard Drawings #201.1 and #234.1 shall also be provided *unless otherwise allowed by the City Traffic Engineer.*

– UNANIMOUS with MAYOR GOODMAN excused

NOTE: COUNCILMAN WOLFSON disclosed he has provided legal services for RONALD and CAROLYN MICH'L'S children over two to five years, but does not feel it would affect his judgment, therefore will be voting on the items.

CITY COUNCIL MEETING OF SEPTEMBER 14, 2004
Planning and Development Department
Item 164 – ZON-4755

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 164 [ZON-4755], Item 165 [WVR-4774] and Item 166 [SDR-4756].

ATTORNEY CHRIS KAEMPFER, Kummer Kaempfer Bonner and Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with all conditions. He acknowledged and agreed to the sentence added to Condition 3 of Item 164 [ZON-4755] stating unless otherwise allowed by the City Traffic Engineer. Regarding Item 166 [SDR-4756], ATTORNEY KAEMPFER agreed with modifying Condition 4 that the height of the building shall be 35 feet, and modify Condition 5 from 15 feet rear setback to 10 feet rear setback.

COUNCILMAN MACK also deleted Condition 15 from Item 166 [SDR-4756]. MARGO WHEELER, Deputy Director, Planning and Development indicated that Condition 3 of the same item should reference the plans date stamped 9/14/04.

COUNCILMAN MACK thanked his colleagues for allowing items in his ward to be pulled forward so that he may be excused for the Rosh Hashanah holiday. He wished all a happy holiday.

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 164 [ZON-4755], Item 165 [WVR-4774] and Item 166 [SDR-4756].

NOTE: All discussion for Item 164 [ZON-4755], Item 165 [WVR-4774] and Item 166 [SDR-4756] was held under Item 164 [ZON-4755].

(5:16 – 5:30)

6-2138

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application (SDR-4756) and a Title 18 Waiver (WVR-4774) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate an additional 10 feet of right-of-way for a total half street width of 60 feet on Grand Teton Drive, an additional 10 feet of right-of-way for a total half street width of 60 feet on Durango Drive, 30 feet of right-of-way adjacent to this site for Quail View Street, a 25-foot radius at the southwest corner of Grand Teton Drive and Quail View Street, and

CITY COUNCIL MEETING OF SEPTEMBER 14, 2004
Planning and Development Department
Item 164 – ZON-4755

CONDITIONS – Continued:

- a 15-foot radius at the northwest corner of Quail View Street and Jo Marcy Drive. Additional dedications in accordance with Standard Drawings #201.1 and #234.1 shall also be provided.
4. Construct half-street improvements, including appropriate overpaving, on Durango Drive, Grand Teton Drive, Quail View Street and Jo Marcy Drive adjacent to this site concurrent with development. Also construct the complete median island required within Grand Teton Drive adjacent to this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development.
 5. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
 6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

WAIVER RELATED TO ZON-4755 - PUBLIC HEARING - WVR-4774 - APPLICANT: RICHMOND AMERICAN HOMES OF NEVADA, INC. - OWNER: CAN CAN II (KB) TARGETS, LIMITED PARTNERSHIP AND RONALD MICH'L AND CAROLYN MICH'L - Request for a Waiver of Title 18.12.160 TO ALLOW A 204-FOOT SEPARATION DISTANCE BETWEEN INTERSECTIONS WHERE A MINIMUM OF 220 FEET IS REQUIRED when providing external access from a subdivision to an existing street having a right-of-way width of 60 feet or more, in conjunction with a proposed 74-lot single-family residential development on 10.57 acres adjacent to the southeast corner of Grand Teton Drive and Durango Drive (APN 125-16-101-001), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: R-PD7 (Residential Planned Development - 7 Units per Acre)], Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

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RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/12/2004 Planning Commission meeting Item 56

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with MAYOR GOODMAN excused

MINUTES:

NOTE: See Item 164 [ZON-4755] for all related discussion.

(5:16 – 5:30)

6-2138

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4755) and Site Development Plan Review (SDR-4756).

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 165 – WVR-4774

CONDITIONS – Continued:

2. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4755 AND WVR-4774 - PUBLIC HEARING - **SDR-4756 - APPLICANT: RICHMOND AMERICAN HOMES OF NEVADA, INC. - OWNER: CAN CAN II (KB) TARGETS, LIMITED PARTNERSHIP AND RONALD MICH'L AND CAROLYN MICH'L** - Request for a Site Development Plan Review and a Waiver of the Perimeter Landscape Standards FOR A PROPOSED 74-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 10.57 acres adjacent to the southeast corner of Grand Teton Drive and Durango Drive (APN 125-16-101-001), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: R-PD7 (Residential Planned Development - 7 Units per Acre)], Ward 6 (Mack). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 8/12/2004 Planning Commission meeting Item 57

MOTION:

MACK – APPROVED subject to conditions, deleting Condition 15, and amending Conditions 3, 4 and 5 as follows:

3. All development shall be in conformance with the site plan, landscape plan and building elevations, date stamped 9/14/04, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of ten feet, and building height shall be two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 10-feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 5 feet on the corner side, and 10 feet in the rear.

– UNANIMOUS with MAYOR GOODMAN excused

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 166 – SDR-4756

MINUTES:

NOTE: See Item 164 [ZON-4755] for all related discussion.

(5:16 – 5:30)

6-2138

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-4755) to an R-PD7 (Residential Planned Development - 7 Units per Acre) Zoning District and a Title 18 Waiver (WVR-4774) to allow a substandard intersection offset, approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan, landscape plan and building elevations, date stamped 07/21/04, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of ten feet, and building height shall not exceed two stories or 26 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 10 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 5 feet on the corner side, and 15 feet in the rear.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along Durango Drive and Grand Teton Drive.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 166 – SDR-4756

CONDITIONS – Continued:

10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
16. Landscape and maintain all unimproved right-of-way on Durango Drive and Grand Teton Drive adjacent to this site concurrent with development of this site.
17. Submit an Encroachment Agreement for all landscaping and private improvements in the Durango Drive and Grand Teton Drive public rights-of-way adjacent to this site.
18. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4755 and all other subsequent site-related actions.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 166 – SDR-4756

CONDITIONS – Continued:

19. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - **ZON-4216** - **APPLICANT/OWNER: PARDEE HOMES OF NEVADA** - Request for a Rezoning FROM: U (Undeveloped) [TC (Town Center) General Plan Designation] TO: T-C (Town Center) on 17.66 acres adjacent to the northwest corner of Deer Springs Way and Fort Apache Road (APN 125-19-602-001, 003 thru 011), Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Request to table by Bossard Development Services for Item 167 [ZON-4216], Item 168 [VAC-4218] and Item 169 [SDR-4220] filed under Item 167 [ZON-4216]

MOTION:

REESE – Motion to **STRIKE** Item 101 [410 South 7th Street], to Accept the **WITHDRAWAL WITHOUT PREJUDICE** of Item 103 [DIR-4797] and Item 145 [SUP-4689], to **TABLE** Item 167 [ZON-4216], Item 168 [VAC-4218], Item 169 [SDR-4220] and to **HOLD IN ABEYANCE** Item 118 [VAC-4071], Item 141 [SUP-4592], to 10/6/2004, Item 104 [DIR-5079] and 126 [VAC-4747] to 10/20/2004, Item 137 [SUP-2848], Item 138 [SUP-3394], Item 140 [SUP-4532], Item 146 [SUP-4690] and Item 147 [SUP-4693] to 12/15/2004 – **UNANIMOUS** with **GOODMAN** abstaining on Item 104 [DIR-5079] because it related to the Scotch 80's subdivision where he resides, and any action could directly affect his property value and abstaining on Item 146 [SUP-4690] because **ATTORNEY JAY BROWN**, who represents the applicant, is a partner of his on a property known as the **UNR Outpatient Clinic** on West Charleston Boulevard

MINUTES:

There was no discussion.

(2:48 – 3:01)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

VACATION RELATED TO ZON-4216 - PUBLIC HEARING - VAC-4218 -
APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Petition to Vacate U.S.
 Government Patent Easements generally located south of Dorrell Lane, west of Chieftain Street,
 Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Request to table by Bossard Development Services for Item 167 [ZON-4216], Item 168 [VAC-4218] and Item 169 [SDR-4220] filed under Item 167 [ZON-4216]

MOTION:

REESE – Motion to STRIKE Item 101 [410 South 7th Street], to Accept the WITHDRAWAL WITHOUT PREJUDICE of Item 103 [DIR-4797] and Item 145 [SUP-4689], to TABLE Item 167 [ZON-4216], Item 168 [VAC-4218], Item 169 [SDR-4220] and to HOLD IN ABEYANCE Item 118 [VAC-4071], Item 141 [SUP-4592], to 10/6/2004, Item 104 [DIR-5079] and 126 [VAC-4747] to 10/20/2004, Item 137 [SUP-2848], Item 138 [SUP-3394], Item 140 [SUP-4532], Item 146 [SUP-4690] and Item 147 [SUP-4693] to 12/15/2004 – UNANIMOUS with GOODMAN abstaining on Item 104 [DIR-5079] because it related to the Scotch 80's subdivision where he resides, and any action could directly affect his property value and abstaining on Item 146 [SUP-4690] because ATTORNEY JAY BROWN, who represents the applicant, is a partner of his on a property known as the UNR Outpatient Clinic on West Charleston Boulevard

MINUTES:

There was no discussion.

(2:48 – 3:01)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4216 AND VAC-4218 - PUBLIC HEARING - **SDR-4220** - **APPLICANT/OWNER: PARDEE HOMES OF NEVADA** - Request for a Site Development Plan Review FOR A PROPOSED 92-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 17.66 acres adjacent to the northwest corner of Deer Springs Way and Fort Apache Road (APN 125-19-602-001, 003 thru 011), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone], Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Request to table by Bossard Development Services for Item 167 [ZON-4216], Item 168 [VAC-4218] and Item 169 [SDR-4220] filed under Item 167 [ZON-4216]

MOTION:

REESE – Motion to **STRIKE** Item 101 [410 South 7th Street], to Accept the **WITHDRAWAL WITHOUT PREJUDICE** of Item 103 [DIR-4797] and Item 145 [SUP-4689], to **TABLE** Item 167 [ZON-4216], Item 168 [VAC-4218], Item 169 [SDR-4220] and to **HOLD IN ABEYANCE** Item 118 [VAC-4071], Item 141 [SUP-4592], to 10/6/2004, Item 104 [DIR-5079] and 126 [VAC-4747] to 10/20/2004, Item 137 [SUP-2848], Item 138 [SUP-3394], Item 140 [SUP-4532], Item 146 [SUP-4690] and Item 147 [SUP-4693] to 12/15/2004 – **UNANIMOUS** with **GOODMAN** abstaining on Item 104 [DIR-5079] because it related to the Scotch 80's subdivision where he resides, and any action could directly affect his property value and abstaining on Item 146 [SUP-4690] because **ATTORNEY JAY BROWN**, who represents the applicant, is a partner of his on a property known as the **UNR Outpatient Clinic** on West Charleston Boulevard

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 169 – VAC-4220

MINUTES:

There was no discussion.

(2:48 – 3:01)

5-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-4542** - **APPLICANT: JOEL ARMSTRONG** - **OWNER: CLARK COUNTY** - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: ML (Medium-Low Density Residential) TO: MLA (Medium-Low Attached Density Residential) on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN 140-29-401-005 and 006), Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report

MINUTES:

REESE – APPROVED – UNANIMOUS with GOODMAN and MACK excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 170 [GPA-4542], Item 171 [ZON-4543], Item 172 [VAR-4547], Item 173 [VAR-4572] and Item 174 [SDR-4545].

ATTORNEY TABITHA FIDDYMENT, Kummer, Kaempfer, Bonner & Renshaw, 3800 Howard Hughes Parkway, indicated that the development is located south of Bingham Avenue and east of Lamb Boulevard. She indicated that the property is surrounded by other developments ranging from 35 to 40 units. She noted that during a neighborhood meeting many were excited about the project and the potential redevelopment that this infill project would bring. After their first submittal of the application, they discovered that Walgreens has an easement on their property, and, due to this fact, they decided to redesign the site by eliminating one lot, bringing the request to 33 lots. In addition, they agree to landscape the area surrounding the easement. This infill piece will compliment this particular area. She requested approval.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 170 – GPA-4542

MINUTES Continued:

ATTORNEY FIDDYMENT verified for MAYOR PRO TEM REESE that the units will be stucco with tile roofs.

MARGO WHEELER, Deputy Planning and Development Director, added a condition to Item 173 [VAR-4572] regarding desert landscaping to be located wherever pavement is not required, as well as improving the open space with barbecues and seating areas. In addition, relating to Item 174 [SDR-4545], she recommended that Conditions 3 and 12 be deleted and Condition 11 amended to reflect the plans date stamped 9/15/04 for a maximum of 33 units.

BART ANDERSON, Public Works Department, pointed out that Condition 17 in Item 174 [SDR-4545] requires the applicant to meet with the City Engineer to authorize all deviations from standards, as it appears that the site plan as shown has some deviations. ATTORNEY FIDDYMENT agreed with added, amended and deleted conditions.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 170 [GPA-4542], Item 171 [ZON-4543], Item 172 [VAR-4547], Item 173 [VAR-4547] and Item 174 [SDR-4545].

NOTE: All discussion for Item 170 [GPA-4542], Item 171 [ZON-4543], Item 172 [VAR-4547], Item 173 [VAR-4547] and Item 174 [SDR-4545] was held under Item 170 [GPA-4542].

(5:30 – 5:37)

6-2768

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - REZONING RELATED TO GPA-4542 - PUBLIC HEARING - ZON-4543 - **APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY** - Request for a Rezoning FROM: R-1 (Single-Family Residential) TO: R-PD9 (Residential Planned Development - 9 Units Per Acre) on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN 140-29-401-005 and 006), Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED subject to conditions – UNANIMOUS with GOODMAN and MACK excused

MINUTES:

NOTE: See Item 170 [GPA-4342] for all related discussion.

(5:30 – 5:37)

6-2768

CONDITIONS:

Planning and Development

1. (For R-PD9) Approval of and conformance to the Conditions of Approval for a General Plan Amendment (GPA-4542), Variance (VAR-4547), Variance (VAR-4572), and Site Development Plan Review (SDR-4545) approved by the City Council.
2. A Resolution of Intent with a two-year time limit.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 171 – ZON-4543

CONDITIONS – Continued:

3. A Site Development Plan Review (SDR-4545) approved by the Planning Commission or City Council prior to issuance of any permits, site grading, and development activity for the site.
4. The total number of lots shall be limited to a maximum of thirty-five (35).

Public Works

5. Construct all incomplete half-street improvements on Lamb Boulevard, Bingham Avenue and Hubbard Street adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.
6. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
7. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - VARIANCE RELATED TO GPA-4542 AND ZON-4543 - PUBLIC HEARING - **VAR-4547** - **APPLICANT: JOEL ARMSTRONG** - **OWNER: CLARK COUNTY** - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 3.58 ACRES WHERE 5.00 ACRES IS THE MINIMUM REQUIRED adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN 140-29-401-005 and 006), R-1 (Single-Family Residential) Zone [Proposed: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED subject to conditions – UNANIMOUS with GOODMAN and MACK excused

MINUTES:

NOTE: See Item 170 [GPA-4342] for all related discussion.

(5:30 – 5:37)

6-2768

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Rezoning (ZON-4543) and Site Development Plan Review (SDR-4545) approved by the City Council.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - VARIANCE RELATED TO GPA-4542, ZON-4543 AND VAR-4547 - PUBLIC HEARING - **VAR-4572 - APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY** - Request for a Variance TO ALLOW 12,000 SQUARE FEET OF OPEN SPACE WHERE 25,870 SQUARE FEET IS THE MINIMUM REQUIRED on 3.80 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN 140-29-401-005 and 006), R-1 (Single-Family Residential) Zone, [Proposed: R-PD9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED subject to conditions and the following added condition as read for the record:

- *The variance is granted for 11,815 square feet of open space and 5,426 square feet of improved easement area where desert landscaping shall be located wherever pavement is not required. The open space area shall be approved with barbeques and seating areas.*

– **UNANIMOUS** with GOODMAN and MACK excused

MINUTES:

NOTE: See Item 170 [GPA-4342] for all related discussion.

(5:30 – 5:37)

6-2768

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 173 – VAR-4572

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a General Plan Amendment (GPA-4542), Variance (VAR-4547), Rezoning (ZON-4543), and Site Development Plan Review (SDR-4545) by the City Council.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. A contribution shall be made to the City Parks CIP Fund in the amount of \$45,352.00 for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise, the developer will still be required to comply with the Open Space requirements in accordance with Title 19 of the Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4542, ZON-4543, VAR-4547 AND VAR-4572 - PUBLIC HEARING - **SDR-4545** - **APPLICANT: JOEL ARMSTRONG - OWNER: CLARK COUNTY** - Request for a Site Development Plan Review FOR A PROPOSED 35-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 3.58 acres adjacent to the southeast corner of Lamb Boulevard and Bingham Avenue (APN 140-29-401-005 and 006), R-1 (Single-Family Residential) Zone [Proposed: RPD-9 (Residential Planned Development - 9 Units per Acre)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED subject to conditions, deleting Conditions 3 and 12, and amending Condition 11 as follows:

11. All development shall be in conformance with the site plan and building elevations, date stamped 9/15/04 for a maximum of 33 units, except as amended by conditions herein.

– UNANIMOUS with GOODMAN and MACK excused

MINUTES:

NOTE: See Item 170 [GPA-4342] for all related discussion.

(3:11 – 3:12)

5-1033

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a General Plan Amendment (GPA-4542), Variance (VAR-4547), Variance (VAR-4572), and Rezoning (ZON-4543) approved by the City Council.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 174 – SDR-4545

CONDITIONS – Continued:

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. The standards for this development shall include the following:
4. The site plan shall be revised to illustrate the details and conditions of approval listed herein and shall be approved by Planning and Development Department staff prior to or at the time application is made for a tentative map.
5. A landscape plan shall be submitted and approved by Planning and Development Department staff prior to or at the time application is made for a tentative map. The landscape plan shall comply with the standards of Title 19.
6. Air conditioning units shall not be mounted on rooftops.
7. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
8. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
9. All City Code requirements and design standards of all City departments must be satisfied.
10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
11. All development shall be in conformance with the site plan and building elevations, date stamped 04/22/04, except as amended by conditions herein.
12. The applicant shall work with staff to create usable open space within the project.

Public Works

13. Provide a minimum distance of 18 feet of driveway length between the back of sidewalk (or curb, if no sidewalk is proposed) and the face of the garage, to allow vehicles to park completely outside the vehicular or pedestrian travel corridor or provide a maximum distance of 5 feet in length to prevent a vehicle from parking in the driveway.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 174 – SDR-4545

CONDITIONS – Continued:

14. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
16. Site development to comply with all applicable conditions of approval for ZON-4543 and all other subsequent site-related actions.
17. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.
18. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-4535** - **APPLICANT: BLUE HERON PROPERTIES - OWNER: W. M. LAND DEVELOPMENT** - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: DR (Desert Rural Density Residential) TO: L (Low Density Residential) on 4.75 acres adjacent to the southeast corner of Buffalo Drive and Del Rey Avenue (APN 163-03-201-001 and 002), Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – Plaintiffs’ Opening Brief in Support of Writ of Mandamus submitted by Mr. Anspach filed under Item 175 [GPA-4535]

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with GOODMAN and MACK excused

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open on Item 175 [GPA-4535], Item 176 [VAR-4536], Item 177 [ZON-4537] Item 178 [WVR-4748] and Item 179 [SDR-4539].

ATTORNEY CHRIS KAEMPFER, Kummer Kaempfer Bonner and Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and concurred with staff recommendations. He thanked staff and the neighbors for their cooperation. He explained the request is to allow for Low-Density Residential instead of Desert Rural. The site is located on Buffalo Drive, which is a major section line street, and immediately south is the approved Social Security Building. He believes that amending the General Plan to Low Density Residential is appropriate.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 175 – GPA-4535

MINUTES – Continued:

ATTORNEY KAEMPFER emphasized considerable care was given to the neighbors to propose a residential density that fits well within the existing homes to the east. The zone change is for an R-PD5 with an actual density of less than five units per acre. The variance is to allow a Planned Unit Development on 4.6 acres where 5 acres are required. The waiver of Title 18 is to allow for 33-foot wide streets where 39 feet is normally required. This is being requested so that the homes on the east side can be set further back from the existing homes.

The project consists of 23 luxury homes with a contemporary design with a minimum of 3,800 square feet. The homes are not two stories, but will have tall lofts to provide openness in the homes without affecting the privacy of the neighbors.

LARRY ANSPACH, 1509 Golden Oak Drive, President of the Neighborhood Alliance Association representing approximately 1200 residents. He questioned the cost of the homes, to which ATTORNEY KAEMPFER replied that they would range from \$650,000 to \$700,000. MR. ANSPACH commented on the location being directly across the street from a Social Security building. He indicated that a lawsuit has been filed regarding the construction of the Social Security building. He finds it hard to believe that someone would pay \$700,000 on a home located adjacent to a building that many people will come to everyday. He suggested a caveat that these homes never be converted to offices.

COUNCILWOMAN MONCRIEF asked ATTORNEY KAEMPFER if he would agree to the caveat. However, ATTORNEY KAEMPFER pointed out that it is not an enforceable condition. DEPUTY CITY ATTORNEY BRYAN SCOTT commented that any predecessor neighbor could possibly fight that type of condition. ROBERT GENZER, Director of Planning and Development, explained that in order to convert from residential to office it would require a General Plan Amendment and a zone change to be approved by the entire City Council. COUNCILMAN REESE recalled instances where property owners have requested zone change from residential to office, but it does require the Council's approval. ATTORNEY KAEMPFER commented that the parking requirement could never be met if this were to change to office. The project is not designed for offices, but strictly for homes.

COUNCILWOMAN MONCRIEF indicated that she held three neighborhood meetings to work especially with those neighbors abutting this property. They are pleased with the project and with the applicant for working with them. She believes the applicant will not have any problems selling these homes, even though they are near the Social Security building.

No one appeared in opposition.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 175 – GPA-4535

MINUTES – Continued:

MAYOR PRO TEM REESE declared the Public Hearing closed on Item 175 [GPA-4535], Item 176 [VAR-4536], Item 177 [ZON-4537] Item 178 [WVR-4748] and Item 179 [SDR-4539].

NOTE: All discussion for Item 175 [GPA-4535], Item 176 [VAR-4536], Item 177 [ZON-4537] Item 178 [WVR-4748] and Item 179 [SDR-4539] was held under Item 175 [GPA-4535].

(5:37 – 5:52)

6-3152/7-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE RELATED TO GPA-4535 - PUBLIC HEARING - **VAR-4536** - **APPLICANT: BLUE HERON PROPERTIES - OWNER: W. M. LAND DEVELOPMENT** - Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 4.75 ACRES WHERE 5.00 ACRES IS THE MINIMUM REQUIRED adjacent to the southeast corner of Buffalo Drive and Del Rey Avenue (APN 163-03-201-001 and 002), R-E (Residence Estates) Zone [Proposed: R-PD5 (Residential Planned Development - 5 Units per Acre)], Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – Plaintiffs’ Opening Brief in Support of Writ of Mandamus submitted by Mr. Anspach filed under Item 175 [GPA-4535]

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with GOODMAN and MACK excused

MINUTES:

NOTE: See Item 175 [GPA-4535] for all related discussion.

(3:11 – 3:12)

5-1033

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4537), Title 18 Waiver (WVR-4748), and Site Development Plan Review [SDR-4539].
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-4535 AND VAR-4536 - PUBLIC HEARING - **ZON-4537 - APPLICANT: BLUE HERON PROPERTIES - OWNER: W. M. LAND DEVELOPMENT** - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD5 (Residential Planned Development - 5 Units per Acre) on 4.75 acres adjacent to the southeast corner of Buffalo Drive and Del Rey Avenue (APN 163-03-201-001 and 002), Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – Plaintiffs’ Opening Brief in Support of Writ of Mandamus submitted by Mr. Anspach filed under Item 175 [GPA-4535]

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with GOODMAN and MACK excused

MINUTES:

NOTE: See Item 175 [GPA-4535] for all related discussion.

(3:11 – 3:12)

5-1033

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4535) to an L (Low Density Residential) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 177 – ZON-4537

CONDITIONS – Continued:

3. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. If an application to vacate Del Rey Avenue adjacent to this site, such as VAC-3433, does not record, or portions of Del Rey Avenue are not vacated adjacent to this site, this site shall be responsible to construct all half-street improvements and appropriate overpaving within the Del Rey Avenue right-of-way adjacent to this site concurrent with development of this site.
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

WAIVER RELATED TO GPA-4535, VAR-4536, ZON-4537 AND VAR-4538 - PUBLIC HEARING - **WVR-4748 - APPLICANT: BLUE HERON PROPERTIES - OWNER: W. M. LAND DEVELOPMENT** - Request for a Waiver of Title 18.12.100 TO ALLOW A 33-FOOT PRIVATE STREET WHERE 39 FEET IS THE MINIMUM REQUIRED FOR PRIVATE STREETS WITH ROLLED CURBS on 4.75 acres adjacent to the southeast corner of Buffalo Drive and Del Rey Avenue (APN 163-03-201-001 and 002), R-E (Residence Estates) Zone [Proposed: R-PD5 (Residential Planned Development - 5 Units per Acre)], Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – Plaintiffs’ Opening Brief in Support of Writ of Mandamus submitted by Mr. Anspach filed under Item 175 [GPA-4535]

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with GOODMAN and MACK excused

MINUTES:

NOTE: See Item 175 [GPA-4535] for all related discussion.

(3:11 – 3:12)

5-1033

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4537), Variance (VAR-4536) and Site Development Plan Review (SDR-4539).

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 178 – WVR-4748

CONDITIONS – Continued:

2. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.

Public Works

3. Curbs on at least one side of 33-foot wide streets shall be constructed of red concrete and “Fire Lane No Parking” signs shall be provided in accordance with Section 18.2.2.5.7 of Ordinance #5667 to prevent parking on one side of the street. The curb coloring and signage shall be privately maintained in perpetuity by the Homeowners’ Association.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4535, VAR-4536, ZON-4537, VAR-4538 AND WVR-4748 - PUBLIC HEARING - **SDR-4539** - **APPLICANT: BLUE HERON PROPERTIES** - **OWNER: W. M. LAND DEVELOPMENT** - Request for a Site Development Plan Review FOR A PROPOSED 24-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 4.75 acres adjacent to the southeast corner of Buffalo Drive and Del Rey Avenue (APN 163-03-201-001 and 002), R-E (Residence Estates) Zone [Proposed: R-PD5 (Residential Planned Development - 5 Units per Acre)], Ward 1 (Moncrief). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

RECOMMENDATION:

The Planning Commission (5-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – Plaintiffs’ Opening Brief in Support of Writ of Mandamus submitted by Mr. Anspach filed under Item 175 [GPA-4535]

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with GOODMAN and MACK excused

MINUTES:

NOTE: See Item 175 [GPA-4535] for all related discussion.

(3:11 – 3:12)

5-1033

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4535) from DR (Desert Rural Density Residential) to L (Low Density Residential), a Variance (VAR-4536) to allow R-PD development on a site smaller than five acres, a Rezoning [ZON-4537] to an R-PD5 (Residential Planned Development - 5 Units per Acre) Zoning District, and a Title 18 Waiver (WVR-4748) to allow substandard street widths, approved by the City Council.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 179 – SDR-4539

CONDITIONS – Continued:

2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the revised site plan and building elevations for a maximum of 23 units date stamped 7-30-04, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of nine feet, and building height shall not exceed two stories or 29 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 14.5 feet (Model A) and 10 feet (Model B) to the front of the house, 18 feet to the front of the garage as measured from back of curb, 4.5 feet on the side and 30 feet (Model A) and 34 feet (Model B) feet in the rear (except for the two southernmost lots on the hammerhead, which will be allowed 20-foot rear setback on the east lot and 15-foot rear setback on the west lot).
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

CITY COUNCIL MEETING OF SEPTEMBER 15, 2004
Planning and Development Department
Item 179 – SDR-4539

CONDITIONS – Continued:

12. All City Code requirements and design standards of all City departments must be satisfied.
13. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
14. All development shall be in conformance with the site plan and building elevations, date stamped 07/29/04, except as amended by conditions herein.

Public Works

15. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the north prior to the issuance of any permits or the recordation of a map unless the joint access is being provided with the map being recorded.
16. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
18. Site development to comply with all applicable conditions of approval for ZON-4537 and all other subsequent site-related actions.
19. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
20. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

NL 1105 N. 22ND STREET, NL 204 W. MONROE AVENUE, NL 824 SHETLAND ROAD, NL 1817 STEWART AVENUE, RQR-4661, RQR-4664, RQR-4669, SUP-4728, SUP-4807, SUP-4808, SUP-4809, SUP-4811, SUP-4812, SUP-4822, SUP-4844, SUP-4918, VAC-4571, VAC-4862, VAC-4892, VAC-4956, VAR-4648, VAR-4671, VAR-4925, VAR-4926, and VAR-5039
– 10/6/2004 AGENDA

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

ADDENDUM:

None.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 15, 2004

CITIZENS PARTICIPATION:

PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

MINUTES:

DOROTHY BARNES, Las Vegas resident, Stewart Avenue and 8th Street, commented that she moved into the Campaign Apartments and has been having problems with her neighbors. She notified the management and police. She feels her life has been threatened and she strongly opposes those who endanger her life. She does not mistreat people, and strongly believes in the Golden Rule. She visited the district attorney's office and hopes something will be done.

(5:52 – 5:55)

7-200

MEETING ADJOURNED AT 5:55 P.M.